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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

25° & 26° VICTORIÆ, 1862.

VOL. CLXVIII.

COMPRISING THE PERIOD FROM

THE EIGHTH DAY OF JULY, 1862,

TO

THE SEVENTH DAY OF AUGUST, 1862.

Fourth and last Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR HANSARD'S PARLIAMENTARY DEBATES,
23 PATERNOSTER ROW [E.C.]

1862.

BIBL.
LONDIN.
UNIV.

LONDON: CORNELIUS BUCK, PRINTER, 23, PATERNOSTER ROW.

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2. That the total net Revenues of the Bengal Presidency for the year ended the 30th day of April 1861 amounted to £12,009,752 sterling, and the Charges thereof, for the same period, other than Military Charges, amounted to £2,441,829 sterling.
3. That the total net Revenues of the North Western Provinces for the year ended the 30th day of April 1861 amounted to £5,056,801 sterling, and the Charges thereof, for the same period, other than Military Charges, amounted to £2,540,310 sterling.
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SUPPLY—Civil Service Estimates,—Report :—

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Captain Grant's Cooking Apparatus,—Motion,

"That it is the opinion of this House that the services which Captain Grant has rendered to the public by the economy and improvement which he has introduced into the system of Field and permanent Cooking in the Army, and by his invention of the Ambulatory Cooking Apparatus, are entitled to recognition :"—(*General Lindsay :*)—

On Question, the House *divided;* Ayes 51, Noes, 52, Majority 1 ... 664

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Railway Engine Drivers,—Motion,

"That a Select Committee be appointed to inquire into the matter of the Petition of Engine Drivers and Firemen working on several Lines of Railway in the United Kingdom, complaining of the excessive number of hours during which they work continuously; and also of the Petitions of inhabitants of certain cities, boroughs, and other towns on the same subject:"—(*Mr. Cobbett:*)—

After Debate, Motion *withdrawn* 669

Post Office Department,—Motion, "That a Select Committee be appointed to inquire into the grievances alleged to exist and complained of by the Persons employed in the Post Office Department:"—(*Sir George Bowyer:*) —After Debate, Motion *withdrawn* 672

Royal Academy,—*Resolved,*

That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the present position of the Royal Academy in relation to the Fine Arts, and into the circumstances and conditions under which it occupies a portion of the National Gallery, and to suggest such measures as may be required to render it more useful in promoting Art, and in improving and developing Public Taste.—(*Lord Elcho.*)

Union Relief Aid:—Bill to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary demands for Relief therein, *ordered* to be brought in by Mr. Villiers, Sir George Grey, and Mr. Gilpin: —Bill *presented,* and read 1°; to be *printed* [Bill 224] 682

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- Amendments made:—Bill to be read 3° *To-morrow* 701

Polling Places (New Shoreham, &c.) Bill [Bill 218],—read 2°, and *committed* 701

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Judgments, &c. Law Amendment Bill [Bill 157],—Motion, "That the Bill be now read a second time:"—(*Mr. Hadfield:*)—Amendment, to leave out the word "now," and at the end of the Question to add the words "upon this day three months:"—(*Mr. Attorney General:*)—Amendment and Motion *withdrawn:*—Bill *withdrawn* 702

Night Poaching Prevention Bill [Bill 204],—Order for Committee read; Motion, "That Mr. Speaker do now leave the Chair:"—Amendment, to leave out from the word "That" to the end of the Question, in order to add the words "this House will upon this day three months resolve itself into the said Committee,"—(*Sir Joseph Paxton,*)—instead thereof:—On Question, "That the words proposed to be left out stand part of the Question," the House *divided;* Ayes 139, Noes 49, Majority 90:—Main Question put, and *agreed to:*—House in Committee ... 705

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  - Amendment, after the word "between" to insert the words "the expiration of the first hour after sunset and the beginning of the first hour after sunrise:"—(*Sir George Grey:*)—On Question, "That those words be there inserted," the Committee *divided;* Ayes 77, Noes 153, Majority 76 711
  - Motion, "That the Chairman do report Progress:"—(*Mr. Craufurd:*)—The Committee *divided;* Ayes 41, Noes 171, Majority 130 ... 718
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Night Poaching Prevention Bill—Committee—*continued.*

Motion, "That the Chairman do report Progress:"—(*Mr. Craufurd:*)—The Committee *divided;* Ayes 38, Noes 160, Majority 122:—Amendment *agreed to* 722

Amendment (*Sir Baldwin Leighton*); *agreed to:*—Amendment (*Mr. Bass*); *withdrawn:*—Amendment, to insert the words "gun, part of gun, or:"—(*Mr. Alderman Sidney:*)—On Question, "That those words stand part of the Clause," the Committee *divided;* Ayes 121, Noes 51, Majority 70 723

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Bankruptcy Act (1861) Amendment Bill [Bill 223],—After short Debate, Bill read 2°, and *committed* 778

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Poor Removal Bill [Bill 151],—Order for Third Reading read; Motion, That the Order be discharged, and the Bill re-committed:—(*Sir Hervey Bruce:*)—Motion *withdrawn:*—Bill read 3°, and *passed* 779

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Motion, "That the Chairman do report Progress:"—(*Mr. W. E. Forster:*)—On Question, the Committee *divided;* Ayes 29, Noes 94, Majority 65 785

Motion, "That the Chairman do now leave the Chair:"—(*Mr. Coningham:*)—Motion *withdrawn* 785

Clause 1 (Constables may search any Person without Warrant in certain cases)—Amendment,

To leave out from the word "carried," in page 2, line 3, to the end of the Clause, in order to insert the words "also to stop, search, and detain any cart, boat, or other

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Night Poaching Prevention Bill—Committee—*continued.*

conveyance in or upon which there shall be reasonable cause to suspect that any such game, guns, parts of guns, nets, or other engines are being carried, and should they find any game or any such article or thing as aforesaid upon such person, cart, boat, or other conveyance, to seize and retain the same; and such constable shall in such case apply to some justice of the peace for a summons citing such person to appear before two justices of the peace acting for the county or borough within which the seizure has been made; and if the person so charged shall fail to satisfy the said justices that he obtained such game lawfully, or that he had such guns, parts of guns, nets, or engines in his possession for a lawful purpose, the said justices shall, on conviction, order the person so convicted to forfeit and pay any sum not exceeding five pounds, and shall forfeit such game, guns, parts of guns, nets, and engines, and direct the same to be sold, and the proceeds of such sale, with the amount of the penalty, to be paid to the treasurer of the county or borough where the conviction takes place; and no person who, by direction of a justice, in writing, shall sell any game so seized, shall be liable to any penalty for such sale:"—(*Sir Baldwin Leighton*:)—

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An Amendment made 788

Amendment, to leave out the words "or other conveyance:"—(*Mr. Cox*:) —On Question, "That the words proposed to be left out stand part of the proposed Amendment," the Committee *divided;* Ayes 121, Noes 35, Majority 86 788

An Amendment made 788

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Motion, That the Chairman report Progress:"—(*Mr. P. Taylor*:)—The Committee *divided;* Ayes 31, Noes 110, Majority 79 ... 793

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Union Relief Aid Bill—Committee—*continued.*

Amendment,

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Night Poaching Prevention Bill—Consideration—*continued.*

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Amendment, in page 2, line 8, after the word "game," to insert the words "or any person acting in concert with such person:"—(*Sir Baldwin Leighton* :)—Question proposed, "That those words be there inserted:" —Debate arising; Motion, "That the Debate be now adjourned:"— (*Mr. Craufurd* :)—Ayes 47, Noes 96, Majority 49 971

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Amendment, in page 2, line 8, after the word "game," to insert the words "or any person aiding or abetting such person:"—(*Sir Baldwin Leighton* :)—Question put, "That those words be there inserted:"—Ayes 85, Noes 58, Majority 27 972

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Union Relief Aid [Bill 240],—Order for Consideration, as amended, read :—Question, "That the Bill, as amended, be now taken into Consideration"... 1006
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Moved, "That the House agree to the Amendment made by the Lords,"

"After Clause 56, insert Clause D,—No public landing place, pier, stairs, or quay for landing passengers (other than such as shall be substituted for the present Adelphi pier at the site now occupied by that pier), shall be constructed under the powers of this Act on the south side of the said embankment within 150 yards on either side of the steamboat pier belonging to the Charing Cross Railway Company at Hungerford."

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Resolved, That this House doth not insist upon their disagreement to so much of the said Amendment upon which the Lords insist, and agree to the consequential Amendments made by their Lordships to the said Bill.

FRIDAY, AUGUST 1.

Union Relief Aid Bill [Bill 247],—Order for Consideration, as amended, read : —Motion, "That the Bill be re-committed :"—(*Sir George Grey :*)—Motion *agreed to :*—Bill *re-committed*, "to consider Amendments to Clauses 1, 2, and 5, of which Notice has been given :"—Bill *considered* in Committee :—
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Clergy Discipline,—Question, Mr. Henry Seymour :—Answer, Sir George Grey 1690

The Administration of Viscount Palmerston—Legislation and State of Parties, —Observations (*Mr. Cobden*), according to notice "to offer Observations on the Administration of the noble Lord the Member for Tiverton in relation to the Legislation and State of Parties in this House :"—Debate thereon 1096

The Board of Admiralty,—Observations, Sir Morton Peto :—Answer, Lord Clarence Paget 1144

Servia—The Suez Canal,—Question, Mr. Darby Griffith :—Answer, Mr. Layard 1147

Night Poaching Prevention Bill [Bill 241],—Order for Third Reading read; Motion made, and Question proposed, "That the Bill be now read the third time" 1149

Amendment proposed, to leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged, for the purpose of re-committing the said Bill,"—(*Mr. Butt,*)—instead thereof :—Question put, "That the words proposed to be left out stand part of the Question :"—The House *divided*; Ayes 90, Noes 61, Majority 29 1150

Original Question again proposed, "That the Bill be now read the third time :"—Whereupon Motion made, and Question put, "That this House do now adjourn :"—(*Mr. William Forster :*)—The House *divided*; Ayes 35, Noes 88, Majority 53 1154

Original Question again proposed, "That the Bill be now read the third time :"—Debate arising; Motion made, and Question put, "That the Debate be now adjourned :"—(*Sir Joseph Paxton :*)—The House *divided*; Ayes 30, Noes 89, Majority 59 1155

Original Question again proposed, "That the Bill be now read the third time :"—Whereupon Motion made, and Question put, "That this House do now adjourn :"—(*Mr. Taylor :*)—The House *divided*; Ayes 26, Noes 86, Majority 60 1155

FRIDAY, AUGUST 1—*continued.*

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Night Poaching Prevention Bill—Third Reading—*continued.*

Original Question again proposed, "That the Bill be now read the third time:"—Debate arising; Motion made, and Question proposed, "That the Debate be now adjourned:"—(*Mr. Cox:*)—Motion, by leave, *withdrawn* 1155

Original Question put, "That the Bill be now read the third time:"—The House *divided;* Ayes 84, Noes 29, Majority 55;—Bill *passed,* with Amendments 1155

MONDAY, AUGUST 4.

Punishment of a Soldier,—Question, Mr. Alderman Salomons:—Answer, Sir George Lewis 1189

Commercial Treaty with Belgium,—Question, Mr. Somerset Beaumont:—Answer, Mr. Layard 1190

The Bishop of Oxford and the Act of Uniformity,—Question, Mr. Henry Seymour:—Answer, Mr. Clive 1912

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Flogging at the Patriotic Fund Asylum,—Question, Viscount Raynham:—Answer, Sir George Lewis 1194

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Mr. Farnall, Poor Law Inspector,—Observations, Mr. C. P. Villiers ... 1197

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Commercial Relations with Austria,—Observations, Mr. Somerset Beaumont:—Answer, Viscount Palmerston 1204, 1207

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THURSDAY, AUGUST 7.

The Bishop of Oxford and the Act of Uniformity,—Question, Mr. Henry Seymour:—Answer, The Attorney General 1213

Advertisements upon Omnibuses,—Question, Sir George Bowyer:—Answer, Mr. Clive 1214

United States—Federal Cruisers off Nassau,—Observations, Mr. Seymour Fitzgerald 1214

Patriotic Fund Asylum,—Observations, Sir George Lewis 1216

The Armstrong Gun,—Question, Mr. Bernal Osborne:—Answer, Sir George Lewis 1216

Prorogation of Parliament—to *Friday* the *Twenty-fourth* day of *October* next 1218

III. New Members Sworn.

Wednesday, July 16.

Montgomery County.—Charles Watkin Williams Wynn, Esq., *v.* Herbert Watkin Williams Wynn, Esq., deceased.

Tuesday, July 29.

Kirkcaldy Burghs.—Roger Sinclair Aytoun, Esq., *v.* Lieutenant Colonel Robert Ferguson Steward, of Hempholme.

IV. Protest.

FORTIFICATIONS (PROVISIONS FOR EXPENSES) BILL.

Protest of Earl Grey against the Second Reading of the Bill in the House of Lords, July 25, *page* 828.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FOURTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY, 1859, AND FROM THENCE CONTINUED TILL 6 FEBRUARY, 1862, IN THE TWENTY-FIFTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH AND LAST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, July 8, 1862.

MINUTES.]—*Took the Oath.*—Lord Lyons.
PUBLIC BILLS.—1^{a} Poor Relief (Ireland).
2^{a} Merchant Shipping Acts, &c. Amendment; Leases and Sales of Settled Estates Act Amendment; Police and Improvement (Scotland); African Slave Trade Treaty.
3^{a} The Queen's Prison Discontinuance (1862); Crown Private Estates.

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL.

[BILL NO. 111.] SECOND READING.

ORDER of the Day for the Second Reading read.

LORD STANLEY OF ALDERLEY, in moving the second reading of the Bill, explained the heads of the several Amendments which it was the object of the measure to introduce into the laws which regulate our merchant shipping. It proposed to subject engineers serving in steam vessels to the same system of examination that was established in the case of the masters and mates, and provided similar certificates of competency, to be forfeited in case of misconduct, and would subject to the discipline clauses of the Merchant Shipping Act classes of vessels which were now exempted from their operation. It also established a fixed code in respect to what might be called the rule of the road and the showing of lights at sea. As that code had been adopted by the Government of this country in conjunction with the Government of France, he hoped that it would receive the concurrence of other nations, and that it would thus, in an important respect, facilitate the commercial intercourse of the world, by assimilating the law in this respect. The measure effected some alterations in the law of pilotage; but it was not thought advisable that it should at once abolish the system of compulsory pilotage. It limited the compensation which could be recovered for accidents occurring at sea through the mismanagement of the crew to the sum of £15 for every ton in the case of personal injuries, and to £8 for every ton in the case of loss of property, so that the proprietors of the larger class of steamers should not be liable to ruinous damages. And it introduced some important Amendments in the law relating to lien upon freight. The Bill involved a vast number of details which could be much better considered in Committee; and he should therefore move that it be now read the second time, merely expressing his belief that the Bill had met with the general approbation of the shipping interest.

Moved, That the Bill be now read 2ª.

THE EARL OF DONOUGHMORE said, that the objects of the Bill appeared to him to be for the most part very excellent, but there were some points which would require further consideration. For instance, if he understood right, the Bill limited the liability of steam shipowners for damage to the person or loss of life upon the gross registered tonnage. He trusted, however, that the noble Lord would consent to alter the Bill, so as to make them liable only on the net tonnage. The owners of vessels were afraid that they might be subjected to dock, port, and light charges on the same principle. His great complaint against the Bill was that it was quite unintelligible in itself, and could only be understood by references to other Acts. He hoped, therefore, that next Session Her Majesty's Government would introduce a Bill for consolidating all the Merchant Shipping Acts.

LORD KINGSDOWN said, that great difficulty often arose, in cases of collision, from the fact that English vessels were under one state of law and foreign vessels under another. He was glad to hear that negotiations were now pending, or had just been completed, between this country and France, by which that difficulty would be removed. The sacrifice of life which occurred through accidents at sea was perfectly frightful. When a collision took place at night, it almost invariably happened that the vessel which had run down the other, instead of remaining to assist the unfortunate sufferers, hastened away, in order to save the owners from the penalties to which the negligence of the officers and crew had made them liable. He suggested that the stringency of the law against owners might perhaps be relaxed, and that the officers of the offending ship should be rendered responsible in their own persons where loss of life occurred through their own neglect or misconduct.

LORD STANLEY OF ALDERLEY said, this matter had been considered, but it had been found impossible to frame a clause to meet the case. He believed, however, that the Bill would tend to diminish the evil of which the noble and learned Lord complained, by reducing the excessive demands to which the owners of vessels were now liable in cases of collision. As the amount of liability would be limited to £15 per ton, there would not be so great a temptation to escape the penalty as at present, and therefore the masters might be induced to remain to rescue the crews of sinking vessels. He supposed that the noble and learned Lord referred to a criminal prosecution against the officers of a ship who fled from the scene of a disaster, instead of stopping to help the shipwrecked crew. If such a provision were practicable, he would have no objection to it. He agreed with the noble Earl that it was not desirable to legislate by a Bill referring to clauses in other Acts which were not recited. At the same time, it should be remembered that the Merchant Shipping Acts had been lately consolidated, and that the operation could scarcely be performed every time a Bill on the subject was passed. With regard to the question of limiting the liability for damage to goods or to life to the net instead of the gross tonnage, the vessels most likely to occasion loss of life or of property were the steamboats navigating our narrow seas, who were chiefly engaged in carrying passengers, and therefore required a high rate of speed. A large proportion of these vessels was taken up by engine-room; and if the proposal of the noble Earl were adopted, these vessels would be liable to a very inadequate amount of compensation. He was not, therefore, prepared to agree to the suggestion.

LORD CHELMSFORD wished to know if, in the case of a collision with loss of life, the *maximum* of £15 should be exhausted in the demand for compensation and damages, it was intended that the owner should not be further liable with regard to the loss of life.

LORD STANLEY OF ALDERLEY said, he imagined that, under the Bill, the owners of vessels would not be liable beyond the £15 in case of loss of life from collision. At present the representative of a person who lost his life through collision had a cause of action if the compensation was considered inadequate.

Motion *agreed to*.

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CHANCERY REGULATION BILL.

[BILL No. 197.]

Commons Reasons for disagreeing to Lords Amendments *considered* (according to Order): Then it was *moved* not to insist on the Amendments to which the Commons have disagreed; on Question, whether to insist? *Resolved* in the *Negative*; and a Message sent to the Commons to acquaint them therewith.

LEASES AND SALES OF SETTLED ESTATES ACT AMENDMENT BILL.

[BILL NO. 150.] SECOND READING.

Order of the Day for the Second Reading read.

LORD CHELMSFORD, in moving the second reading of this Bill, said, it was intended to meet a case of great injustice which had been inflicted for many years upon the property and interests of an individual. The only person who was affected by the clause in the Act which he proposed to amend was Sir Thomas Maryon Wilson. Sir Thomas Wilson, under his father's will, was tenant for life of very considerable estates, and was also lord of the manor of Hampstead, the Heath, which formed part of the wastes of the manor. Many years ago the Finchley Road was made through the property, which made a considerable portion of it eligible for building purposes, and particularly that part of the estate consisting of sixty or seventy acres at the south-eastern corner of Hampstead Heath. Sir Thomas Wilson accordingly proposed to convert this portion of his estate to building purposes, and had laid out many thousands of pounds upon it. He proposed a plan by which detached villas should be erected of an extremely ornamental character, and they would have been a great improvement to the locality. But as he was only tenant for life, with powers under his father's will of granting leases for twenty-one years only, it was quite clear that he could not carry out his object without the assistance of Parliament. It was necessary for him, therefore, to apply for a private Act to give him extended powers of granting building leases in order to carry his scheme into effect. Considerable alarm was at that time entertained that it was the intention of Sir Thomas Wilson to interfere with Hampstead Heath. He (Lord Chelmsford) begged to state that from the beginning to the end of the opposition he had met with he had never entertained such an idea. That feeling of apprehension, however, induced a very serious opposition to the scheme. From the year 1829 down to the year 1854, various Bills—he believed six Bills—were from time to time introduced by Sir Thomas Wilson to enable him to carry out his object. As they were estate Bills, they were, according to the old practice, referred to the Judges for their opinion. The fate of these Bills had been rather extraordinary. Out of the six Bills, the Judges reported in favour of four. Their Lordships' House passed two of the Bills under rather extraordinary circumstances—they passed one of the Bills when the Judges had reported against it, and they refused to pass the other Bill when the Judges had reported in its favour. The last Bill that was before that House was in 1854, when the Judges reported against it. Their Lordships passed the Bill; it was sent down to the House of Commons, and the House of Commons rejected it. So the matter remained until 1856, when the Bill was introduced for facilitating the sales and leases of settled estates. One of the objects of that Bill was to prevent the necessity of persons having limited estates, and in consequence the limited powers of leasing, being compelled to apply to Parliament for a private Act. There was a clause which authorized persons—amongst others, tenants for life—to apply to the Court of Chancery for authority to grant building leases for ninety-nine years. But there was a clause in the Act that the Court of Chancery should not entertain the application supposing that it appeared by the Bill or settlement, either by express declaration or manifest intention, that the person having the limited estate should not have this power. The Bill passed their Lordships' House with that clause in it which his Bill now proposed to amend; but when in the other House the same active and vigilant opposition which had been offered for so many years to the proceedings of Sir Thomas Wilson was renewed; the opponents of the Bill succeeded in introducing the 21st clause of this Bill—a clause framed to meet the individual case of Sir Thomas Wilson. It provided that the Court of Chancery should not entertain an application to grant these Powers from any applicant who had already applied to Parliament for a similar object, and when the Bill had been rejected on its merits or had been reported against by the judges. Now, he believed that there was no individual in the kingdom to whom that 21st clause could possibly apply but Sir Thomas Wilson, who was thereby prevented from exercising those powers which every other tenant for life in the kingdom possessed. The patient forbearance of Sir Thomas Wilson during all these years had been very great. Year after year from 1857 to 1860 he tried to prevail on the House of Commons to obviate the injustice, by introducing Bills to repeal or amend this clause, so as to give him the same advantage which was possessed by every other man in the kingdom. But these Bills were invariably rejected by the Commons. Well, if the House of Commons had shown itself so hostile on every occasion to the proposal of Sir Thomas Wilson to get rid of this clause, how, it might be asked, could he (Lord Chelmsford) anticipate a more favourable reception for this Bill? He believed that a great change had come over the minds of the Commons on this subject. Formerly they had always been apprehensive that Sir Thomas Wilson's object was to enclose Hampstead Heath. As he had already stated to their Lordships, Sir Thomas never had any such intention. But they were aware of this—that Sir Thomas possessed the power, as lord of the manor of Hampstead, with the consent of the homage, and without any application to Parliament, to grant portions of the waste; and when his interest was ended, his successor, under the will of his father, would be absolute owner of the estate, and might exercise over it any power he pleased. Those persons who had been opposing Sir Thomas Wilson so many years now, therefore, thought that the best mode of securing their object would be to enable Sir Thomas Wilson to carry out that part of the scheme which consisted of laying out that particular portion of the property which he had described to their Lordships in detached and ornamental villas; because, being near the Heath, it would be a great addition to the value of those buildings if the Heath were left open and unenclosed; and they believed that if they did not oppose Sir Thomas Wilson's desire to obtain this power by the amendment of the clause, they would accomplish their object and protect themselves against the consequences, the apprehension of which had occasioned their opposition so many years. He asked their Lordships, then, whether they would hesitate to give a second reading of the Bill, which was intended to obviate as great an injustice as had ever been committed, and the most vexatious opposition to the improvement of a gentleman's property that had ever taken place in this country. He trusted that their Lordships would have no hesitation to give the Bill a second reading, and he confidently anticipated that it would receive the sanction of the House of Commons.

Moved, that the Bill be now read 2^a

LORD CRANWORTH said, he entirely concurred with every word which had fallen from his noble and learned Friend as to the obnoxious nature of this enactment. The clause was obviously directed against one particular case, and was intended to debar one particular individual from making an application to the Court of Chancery, which every other subject in the Kingdom was entitled to make. Now, he (Lord Cranworth) was the very last person to desire to withdraw any protection which could properly be given against the enclosure of Hampstead Heath, or any other of the open heaths or commons in the neighbourhood of the Metropolis, for he believed them to be essential to the health and well-being of its inhabitants. But, then, if Sir Thomas Wilson's successor was to be the absolute owner, the only legitimate way to preserve the Heath to the public would be to say, "Let the public purchase it." It was fit also that it should be known that, as far as he (Lord Cranworth) could see, the land of which Sir Thomas Wilson proposed to grant building leases had not the remotest connection with Hampstead Heath. According to the plan which was exhibited when the matter was last before the House, the nearest point of the land was either just over or under a mile from the nearest point of the Heath, being somewhere near what was called the Swiss Cottage. He should be glad even if that land could be laid out in rising walks for the benefit of the public, but that was impossible; and why Sir Thomas Wilson should not have the same privilege of dealing with this portion of his property as other people with theirs, he could not conceive. At the same time, he thought one or two other Amendments of the Act might usefully be included in this measure. A noble Earl had pointed out to him the objection, that whereas the Act authorized the Court of Chancery to give powers to trustees to make building leases, the trustees, although thus authorized, could not make a binding lease without the consent of the Court of Chancery in each particular case. This provision had a most deterring effect with those persons who had to go to the Court of Chancery; for though the expense might not be more than £1 or

£2, and the time occupied not more than a fortnight or three weeks, yet the notion of having to go to the Court of Chancery frightened purchasers, and put the owners of such property under great disadvantages. He further thought that the clause, which, speaking from recollection, he believed had been introduced into the Act, requiring notices to be given to the district, was wholly unnecessary and ridiculous, for these matters had nothing whatever to do with the public, but only interested the parties individually concerned.

THE EARL OF MALMESBURY supported the second reading of the Bill. He was of opinion that the interpretation which had been put upon the Act had defeated the intention of its framers. He did not quite agree with the noble and learned Lord who had last spoken. The expense of the application to the Court of Chancery was rather more than the noble and learned Lord had stated it. Still it was not great. But, as the noble and learned Lord had stated, it was an unnecessary hardship to compel parties, after they had once obtained the general powers, to go to the Court of Chancery for the approval of each individual lease; and there was no doubt an indisposition on the part of the intending lessee to go to the Court of Chancery, and also the trustees. It made a long business of it. In his own case, he obtained the sanction of the Court to an intended lease ten months ago, the lease nevertheless remained unexecuted.

LORD REDESDALE remarked, that although the clause in the Act was intended to affect only one case, it had unfortunately been held to have a more general application. Where Parliament had granted leasing powers over only a portion of an estate, the Court had held years afterwards, on application for leasing powers over another portion, that further Parliamentary powers must be obtained. As the clause had been introduced into the Bill solely to apply to one particular case, if their Lordships should be of that opinion, it might be better to repeal the clause altogether.

LORD EBURY said, he was quite aware in how invidious a position a Member of that House place himself who should venture to oppose such a measure as this; but before their Lordships decided they ought to know what the facts really were. He did not for a moment impute any wilful misrepresentation to the noble and learned Lord (Lord Chelmsford), but in his *ex parte* statement there were one or two errors. It was incorrect to suppose that Sir Thomas Wilson had never contemplated the enclosure of Hampstead Heath, because in the first Bill which was introduced a clause was to be found extinguishing all manorial and common rights over the Heath. It was also a mistake to suppose that the Judges had reported four times in favour of his Bills. They had never reported once in favour of any of the Bills, although it was true that on one occasion they made a report upon the will which might bear that interpretation.

LORD CHELMSFORD said, the noble Lord was in error. The Judges had reported four times in favour of the Bills, and twice against them.

LORD EBURY said, he had not searched the records of the House; but, after he had made, he almost thought, 150 speeches on the subject, containing these statements, which had never been controverted, he made them quite as confidently as the noble and learned Lord. Those statements were that the Judges had never once reported in favour of the Bill, and that Sir Thomas Wilson contemplated the enclosure of a part of Hampstead Heath. It was quite true that the property lay in two different directions, one of which was towards the Heath; and a compromise was offered to Sir Thomas Wilson not to oppose his building upon the other part, if he would pledge himself to leave the Heath portion unenclosed. Sir Thomas Wilson refused, and he believed there never was a man who had thrown away more time and money than Sir Thomas Wilson. With regard to the argument that the clause was unjust because it affected only one individual, he was appointed to assign Reasons which were drawn up by the noble and learned Lord on the Woolsack, and one of those Reasons was, because it was a universal principle that no judicial authority created by Parliament ought to have the power of reversing the decisions of Parliament in matters of private rights, which must be guided and governed by the opinions of the Judges of the land. The other Reason for retaining the clause was that the previous decisions of Parliament in rejecting the Bills had justified other persons in making arrangements, founded upon the supposition that the powers sought by a tenant for life, and refused, would never be granted indirectly by means of an application to the Court of Chancery.

The LORD CHANCELLOR begged the noble Lord's pardon. He did not remember drawing up any such Reasons.

Lord EBURY said, that on that point there could be no doubt. The noble and learned Lord drew them up in his presence, and handed them to him without the intervention of any other person. The will under which Sir Thomas Wilson succeeded to this property was not made a long time ago, when a totally different state of things existed. The will and codicils were dated in 1821, after the Regent's Park had been made, and after it was obvious that this property would become very valuable for residences; yet the late Sir Thomas Wilson, while he gave the present Sir Thomas power of granting building leases on the property at Charlton and Greenwich, did not give leave to build on the Hampstead portion of his estates. The clear inference, therefore, was that he did not intend him to have the power. Sir Thomas Wilson was not prevented coming to Parliament. He could just as well come to Parliament by the able mouth of his noble and learned Friend as endeavour to attain his object by an application to Chancery. It was not, therefore, a denial of justice. He had now informed their Lordships what the real facts were, with which he was perfectly conversant, and he left them to deal with the Bill as they thought proper.

The LORD CHANCELLOR said, the noble Lord seemed to have a very vivid recollection of what had passed; and he was not surprised that the noble Lord should feel an interest in this subject. The noble Lord had been Member for Middlesex, and headed the opposition to the Leases and Sales of Settled Estates Bill, of which he (the Lord Chancellor) had charge in the House of Commons; and so vigorous were the efforts of the noble Lord and his friends that it became necessary to yield to their demands, and to allow the clause to be introduced which it was now sought to modify or to repeal. The noble Lord might, as he had said, have made 150 speeches upon the subject, but of those, no doubt, at least 140 were addressed to his constituents. But did the noble Lord remember that there was an understanding when that clause was accepted, that the metropolitan Members would unite in an endeavour to obtain from their constituents a sum of money to compensate Sir Thomas Wilson for the wrong which had been done him by the introduction of the clause? He had waited in vain for the fulfilment of that promise. The clause was introduced under the specious argument that it was not right to make the Court of Chancery an appellate tribunal from the decision of either House of Parliament, and that therefore, in cases where either House had rejected an application, it should not be renewed in the Court of Chancery. So well were the objects sought disguised by that specious argument, that, notwithstanding all his efforts, he was obliged to yield, and the clause was introduced into the Bill. He had from the beginning regarded the clause as most unjust, depriving an individual of a particular right for the public benefit. He thought, that if that were done, the ordinary course ought to be pursued, and full compensation given to the person whose rights were affected. After the Leases and Sales of Settled Estates Bill had passed, the right hon. Gentleman the Member for Dublin University (Mr. Whiteside) introduced a Bill into the other House to cure the injustice; but the opposition was too strong, and the Bill did not pass, although he (the Lord Chancellor) had given it his best support, for which he received a letter of thanks from Sir Thomas Wilson. He trusted that their Lordships would receive the Bill with favour, as a means of remedying a grave injustice; but he concurred in the recommendation of the noble Lord the Chairman of Committees, that the form of the Bill should be altered, and the clause in question be completely repealed. He thought also that the Bill should not be limited to that particular provision, but should introduce general amendments which had been found to be necessary. That would have the advantage of giving the Bill a less individual character, which might operate favourably in another place.

The Marquess of CLANRICARDE expressed his gratification at the introduction of a Bill, the object of which was to redress as gross a piece of confiscation as had been perpetrated by any despot in Europe. The noble Lord said that the House ought to hear the other parties interested; but he should like to know who had any concern in the matter except Sir Thomas Wilson?

Lord CHELMSFORD said, he wished to state to their Lordships that he had no personal acquaintance with Sir Thomas Wilson. The case was brought under his notice some years ago, when, being convinced that great injustice was being done, he felt it his duty to take up the matter. The noble Lord said that Sir Thomas Wilson did not desire to build upon the Heath, but upon land adjoining, which would materially interfere with the amenities of the Heath. But was that any reason for depriving him of his legal rights? He must remind their Lordships, that if the case was as the noble Lord represented, and that if the terms of the will under which Sir Thomas Wilson held the property directly or impliedly excluded him from the exercise of the power of granting building leases, the Court of Chancery would deal with that question and would refuse the relief sought; but it was unjust for Parliament to make a particular exception to a general law. He was disposed to think the suggestion of the noble Chairman of Committees for repealing the 21st clause altogether was a sound one, and therefore was prepared to adopt it, and also the suggestions of the noble and learned Lord (Lord Cranworth).

Motion *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

POLICE AND IMPROVEMENT (SCOTLAND) BILL.

[BILL NO. 142.] SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF ARGYLL, in moving the second reading of the Bill, said, it contained no less than 449 clauses; and he could assure their Lordships that it was a most salutary measure. The Bill reflected the highest credit on the gentleman connected with the Social Science Association who had prepared it, containing as it did some of the best and most salutary portions of existing Acts. 300 of the clauses were taken from the English Police Act, and the others from local Acts. The Bill had received the assent of the municipal authorities in Scotland and undergone the revision of the Scotch law officers of the Crown.

Moved, That the Bill be now read 2^a.

LORD BROUGHAM said, he had already presented a petition from the Council of the Social science Association in favour of the Bill, which also had received the approval of all the Burghs of Scotland.

THE DUKE OF MONTROSE said, that there was this novelty in the Bill, that it gave new rating powers for the purposes of the Act. He thought that some of the clauses would require reconsideration, more especially with respect to the question of parishes availing themselves of the provisions of the Bill.

LORD POLWARTH approved the principle of the Bill, which he took to be the improvement of the health and order of the towns of Scotland; but he also thought that some of the details would require a good deal of examination, and he hoped that the Committee would not be fixed for too early a day.

THE DUKE OF ARGYLL said, that he proposed to take the Committee on Monday next.

Motion *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the whole House on *Monday* next.

AFRICAN SLAVE TRADE TREATY BILL.

[BILL NO. 154.] SECOND READING.

EARL RUSSELL *moved* that the Bill be now read the second time. He said he would not describe the provisions of the Bill, which were like those of other Bills for suppressing the slave trade. The Bill carried into effect a treaty with the United States, giving the right of search in American vessels, and courts were to be established at Sierra Leone, the Cape of Good Hope, and New York.

THE EARL OF DERBY said, that this was undoubtedly a Bill of great importance. It was well known that the main encouragement to the slave trade for a long period had been the refusal of the United States to permit the right of search, and that the flag of the States had covered a large portion of the horrible traffic. It might, perhaps, happen that the flag of some other Power might be abused in a similar way, but he trusted that in such an event there would be no desire to give that tacit encouragement which he was afraid the United States had given to the slave trade. If the noble Lord should detect any indisposition on the part of a foreign Power to punish such a prostitution of their ensign, he would, no doubt, take care to make an early and efficient representation on the subject in order to prevent a repetition of the offence. He hoped that the Bill would meet with no opposition, and would be attended with the utmost success, which the best friend of the negro and the most determined enemy to the slave trade could desire.

Motion *agreed to.*

Bill read 2^{a}, and *committed* to a Committee of the Whole House on *Thursday* next.

GAME LAW AMENDMENT (No. 2) BILL (*Hereafter* NIGHT POACHING PREVENTION BILL)—[Bill No. 164.]

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order); and being read twice by the Clerk, were agreed to by the House.

[By these Amendments the Bill became "The Night Poaching Prevention Bill."]

Then it was *moved* to add at the end of the Bill the words "and in *Ireland* under the Petty Sessions (*Ireland*) Act, 1851."

Viscount DUNGANNON said, he believed there was no necessity for the extension of such a measure to Ireland; and he would therefore move on the third reading that that country should be exempted from its operation.

The Marquess of CLANRICARDE supported the alteration.

The Earl of DERBY said, it was very desirable there should be no misconception. The only object of the Bill was to prevent gangs of persons going out at night for the purpose of poaching. The Bill, as first drawn, did not apply to Ireland. At the request of Irish Peers it had been extended to Ireland; but he hoped that opposition would not be caused in the other House by any idea that under the name of a Game Bill it was intended to pass an Arms Bill through Parliament. He hoped, that if the Bill were reduced to its original shape by Amendments in the other House, no objection would be made to it passing because Ireland was excluded from its operation.

The Marquess of CLANRICARDE said, he should oppose the Bill if Ireland was not included; but he treated it entirely as a Game Bill.

Earl GRANVILLE was inclined to think that the Bill was not so necessary for Ireland as for England.

Viscount DUNGANNON said, he could not see the necessity of extending the Bill to Ireland, and on the third reading he should move the omission of Ireland from its operation.

Further Amendments made.

The Earl of Derby

Bill to be read 3^{a} on *Thursday* next. [No. 169.]

House adjourned at a quarter before Eight o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday July 8, 1862.

Minutes.]—Public Bills.—1° Gardens in Towns Protection; Courts of the Church of Scotland; Recovery of Poor Rates, &c.
2° Public Offices Extension; Indemnity.
3° Transfer of Land; Declaration of Title; Metropolis Local Management Acts Amendment.

PAROCHIAL ASSESSMENTS BILL.

[BILL NO. 144.] COMMITTEE.

Order for Committee read.

House in Committee.

Clause 7 (First Meeting, when to be holden).

Mr. J. A. TURNER said, that he had an Amendment on the paper to the 7th clause, the effect of which would be to leave to the municipal council, instead of to the board of guardians, the appointment of assessment committees in those places where a corporate body existed; but after the decision to which the Committee had come on the 4th clause, he would not now press his Amendment.

Mr. Alderman SIDNEY said, he objected to taking out of the hands of the board of guardians the appointment of the assessment committees.

Mr. C. P. VILLIERS said, he had given notice of a clause which would effect the object which the hon. Gentleman (Mr. Turner) had in view where the municipal boroughs and unions were conterminous.

Clause *agreed to.*

Clause 8 (Quorum of Meetings).

Mr. HENLEY said, this clause, in connection with the second clause, was one of the most important in the Bill. The second clause empowered the guardians to appoint an assessment committee of as many as twelve, in which case a quorum of three would be too small. He believed five would have been a more convenient number.

Mr. C. P. VILLIERS said, he was willing to introduce words to the effect that the numbers constituting the committee should not be less than one-third of the whole number.

Clause, as amended, *agreed to.*

Clause 9 (Committee may employ and pay Clerk and Surveyor).

MR. J. A. TURNER said, it appeared to him that the 9th clause gave unlimited power to boards of guardians to appoint surveyors and valuers, and necessarily to incur large expenditure. It appeared to be intended by the Bill to complicate matters to that extent that the Poor Law Board would hereafter be justified in stepping in and demanding a more complete control over the local expenditure. He strongly objected to the tendency of the Bill to interfere with local self-government and he should therefore move the omission of the clause.

MR. C. P. VILLIERS said, that the principal object of the clause was to empower the committees to remunerate the union clerks for their services, and to pay for valuations and surveys.

SIR LAWRENCE PALK said, the clause raised the whole principle of the Bill. The object of the Bill was to cause a uniform rating according to the Act 6 & 7 *Will.* IV., c. 96. He did not see the necessity of employing so useless and complicated a machinery for the purpose. If it were desirable to have a fresh valuation of the land all over the country, it ought to be carried into effect by a well-considered measure, and in a convenient manner. He objected to the Bill altogether; and if the hon. Member divided the Committee on the clause, he would give him his support. If not, he should move the omission of the words authorizing the committee to employ "such surveyors and valuers as they shall find requisite, at a proper remuneration," and move the insertion of the words "surveyor and valuer."

MR. H. A. BRUCE said, that the objections made applied rather to Clause 14.

MR. BARROW reminded the Committee that the guardians were ratepayers themselves, and, for their own interest, would be as economic as possible.

MR. ALDERMAN SIDNEY said, he had heard no sound argument adduced against the propriety of retaining the clause, and he should therefore support it.

MR. DEEDS remarked, that the clause was ambiguous, and required further explanation.

MR. KENDALL said, he thought the Amendment of the hon. Baronet (Sir L. Palk) would be more appropriately considered on the 14th clause.

SIR LAWRENCE PALK said, if the Committee were of that opinion, he would propose his Amendment on Clause 14.

SIR JOHN TROLLOPE said, he was in favour of the clause, as he felt that the proper persons to make the valuation were such as resided in the neighbourhood. He was acquainted with an instance in which, under the present system, the valuation of a parish was made in the room of the village public-house, over a map, with the help of the parish clerk. The valuer never saw any of the land himself. The result was, of course, very unsatisfactory.

MR. HENLEY did not understand the meaning of the clause. The first part of it enabled the committee to give extra pay when the clerks performed extra work. To that there could be no objection. But as to the second part of the clause, such contradictory statements had been made as to what it was intended to do, that he was perfectly at a loss. It seemed to him that it would enable the assessment committee to have a paid officer at their elbow to do their work for them, instead of doing it themselves. The 9th clause did not seem to mean the same as the 14th.

MR. C. P. VILLIERS said, he believed the 14th clause gave all the power that was requisite, and he would therefore consent to amend the clause by omitting the latter portion.

Clause, as amended, *agreed to.*

Clause 10 (Proceedings to be entered in Books, and signed; such Entries Evidence. Books to be open to Inspection).

MR. HENLEY said, he thought the clause was one which would lead to great and unnecessary expense in the purchase of books for the purpose of entering a quantity of trivial matters. He should be glad to have an explanation of what was meant by the word "proceedings" used in the clause. Was it intended that all the proceedings of every division which took place in these committees should be recorded? When the valuation was once settled, the document itself would be taken as evidence. He thought it would be quite sufficient to confine the entries to the names of the members who attended.

MR. H. A. BRUCE said, he should support the clause, in the belief that the ratepayers would like to see all that took place at the meetings of their guardians.

MR. C. P. VILLIERS said, the guardians at present made an entry of their proceedings, showing the subjects which had come before them and the decisions which had been arrived at. That was all that was required by the clause. There would be very little expense incurred, and the duties of the clerks, who would always be present at the meetings, would be easily performed.

Sir LAWRENCE PALK objected to the clause, as it would, in his opinion, work very inconveniently. If agreed to, the clause ought to go on to direct that shorthand writers should be present to report all the speeches which might be made by the guardians.

Mr. HENLEY contended that the matter ought to be left to be dealt with under the provisions of the Poor Law Acts.

Mr. H. A. BRUCE said, he was in favour of the clause, as he thought that the inconveniences spoken of would never be experienced in practice.

Mr. HUMBERSTON said, he would move the omission of the word "all" before the word "proceedings," and the insertion of the words "a minute of their."

Mr. C. P. VILLIERS acquiesced in the Amendment.

Amendment *agreed to.*

Mr. HUMBERSTON said, he would then move the omission of that part of the clause which enacted that the clerks of unions should be liable to a penalty in case they should refuse copies of extracts of the minutes of the proceedings of the committees.

Mr. C. P. VILLIERS said, it was a sort of protection to the ratepayers that they should have access to the books, and be able to inspect them. He could understand the hon. Gentleman objecting to the amount of the penalty, but it did not appear to him unreasonable to impose some penalty.

Amendment *negatived.*

Clause, as amended *agreed to.*

Clause 11 (Committees to report to the Poor Law Board).

Mr. KNIGHT objected to the clause, on the ground of its centralizing principle.

Mr. BARROW suggested that the clause should be amended, so as to provide that every board of guardians should, in April in every year, send a report of the proceedings of their assessment committee.

Mr. C. P. VILLIERS assented to the Amendment.

Mr. J. A. TURNER said, he could not see the use of the clause, except that it would lead to the Poor Law Board obtaining more power than it at present possessed.

Mr. KNIGHT said, he would move an Amendment, providing that the report shall be sent to the Secretary of State for the Home Department, instead of the Poor Law Board.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 12 (Committee may require Returns from Overseers, &c.)

Mr. KNIGHT said, he considered that one of the most objectionable clauses of the Bill. He did not think that any unpaid parish officers would be found who would place themselves in such a position. The consequence would be that paid officers would be required to discharge these duties, which were then performed by unpaid officials.

Mr. C. P. VILLIERS said, that the clause was taken almost *verbatim* from the County Rates Bill.

Mr. HENLEY remarked that there was not a word in the clause to define the powers of the committee, or to restrict their operations to the district in which they are to act. He hoped to have the clause altered, so that it should not be of such a general and sweeping nature.

Mr. C. P. VILLIERS said, he was willing to remove the objection by inserting the words "so far as relates to the union for which they act."

Sir JOHN TROLLOPE said, he would rather suggest the omission of that part of the clause empowering the committee to examine upon oath.

Clause, as amended, *agreed to.*

Clause 13 *agreed to.*

House *resumed.*

Committee report Progress; to sit again on *Friday*, at Twelve of the clock.

RECOGNITION OF THE KINGDOM OF ITALY.—QUESTION.

Mr. MAGUIRE said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government have received any official intimation of the recognition of the Kingdom of Italy by the Russian Government; and whether it is true that Sir James Hudson has officially congratulated the Sardinian Government thereon?

Viscount PALMERSTON: Sir, Her Majesty's Government have received information from St. Petersburg that the Russian Government have come to the determination of acknowledging the Kingdom of Italy, and a messenger has been sent off from St. Petersburg to communicate that determination to the Italian Government. We have not yet heard from Turin that that messenger has arrived; therefore, as regards the second question of the hon. Member, no such communication can, so far as we know, have been made by Sir James Hudson to the Government of Turin. I may, at the same time, while on this subject, mention that Her Majesty's Government have reason to believe that the Government of Prussia will follow the example of Russia in acknowledging the Kingdom of Italy.

KERTCH AND YENIKALE PRIZE MONEY.

OBSERVATIONS.

VISCOUNT **PALMERSTON**: As I see the hon. and gallant Member for Wakefield is in his place, I may observe, with regard to a Motion of which he has given notice for this evening relative to the payment of prize money arising out of the capture of Kertch and Yenikale, that the question, which is an important one, has been referred by Her Majesty's Government to the Law Officers of the Crown; consequently, we art not at present in a position to make any reply to his Motion beyond stating that fact. It will be for the Law Officers to say whether the money should be granted or not; and they will, no doubt, give reasons for the one course or the other, which we shall lay before the House.

SIR **JOHN HAY** said, the noble Lord could scarcely give an answer to his Motion before he knew what he had to say in support of it. Besides, the question was not quite that which had been suggested. It appeared there had been a dispute between the Cabinet and the Treasury upon this question. ["Order, order!"]

MR. ZENOS AND THE "BRITISH STAR."

QUESTION.

MR. **MAGUIRE** said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table a Copy of the further Correspondence between the Foreign Office and Mr. Zenos in reference to the suppression of the *British Star?*

MR. **LAYARD** said, that the Government had no intention to publish any further correspondence between the Foreign Office and Mr. Zenos in reference to the suppression of the *British Star*, for the simple reason that there had been no such suppression.

MR. **MAGUIRE**: Has there not been a further correspondence between the Foreign Office and Mr. Zenos on the subject of the *British Star?*

MR. **LAYARD**: There has been a correspondence, but there is no intention to lay it on the table.

SITES FOR PLACES OF WORSHIP IRELAND) BILL.—QUESTION.

MR. **LEFROY** said, he rose to ask the hon. Member for the county of Wexford, What course he proposes to take about the Bill, of which he has given notice, as to Sites for Places of Worship (Ireland)?

MR. **M'MAHON** replied, that the Bill stood for the 6th of August, and therefore he could entertain no hope of carrying the Bill in the present Session.

GRANT'S COOKING APPARATUS.

QUESTION.

GENERAL **LINDSAY** said, he wished to ask the Secretary of State for War, If he can state when the Correspondence and Reports relative to Captain Grant's Cooking Apparatus will be laid upon the table of the House?

SIR **GEORGE LEWIS** said, the Correspondence and Report relative to Captain Grant's Cooking Apparatus would be placed on the table of the House as soon as possible.

GYMNASTIC TRAINING.—RESOLUTION.

LORD **ELCHO** said, that in bringing the subject to which his Motion referred before the House, he should have to claim its indulgence; for although the subject was one of great importance, and his Motion had been for some time on the paper, yet his time had been so fully occupied, and people were so apt not to do to-day what could be put off till to-morrow, that he had not yet given to the subject of his Motion all the attention it demanded. The subject to which his Motion referred was, that of the establishment of gymnastics and physical training in schools. It was not merely as a Volunteer that he wished to bring the question under consideration — though undoubtedly it would tend to promote the permanence of the Volunteer movement—but because he was convinced that such a system of training and military drill would confer a great economical, social, and educational benefit on the people. The advantage of physical training had been acknowledged from the earliest times. In Greece and other ancient countries it was diligently practised. In the earlier periods of English history, too, schoolmasters were obliged by law to have bows and arrows, in order to teach the youth to shoot ; parishes were assessed for the purpose, and much attention was paid to those manly exercises which made the English archer able to defend his home, and to carry his arms successfully on the continent of Europe. Roger Ascham, the tutor of Queen Elizabeth, spoke of shooting as a pastime "wholesome for the body and honest for the mind," and testified that some of "the best-learned Bishops" of his time were skilled in the art. Though the spirit of those by-gone times still survived, as might be seen from the fondness of the English people for various kinds of manly sports, yet it should be borne in mind that as a system of national education, anything like attention to the physical training of youth did not exist. Two years ago his attention was specially drawn to the subject from having been called upon to preside at a meeting at the Thatched House Tavern, held for the purpose of establishing military drill in public schools. Many of the wisest and best men of the land—men who had given great attention to the subject of education—concurred in thinking that the greatest benefits, bodily and mental, would arise from the establishment of such a system. Letters of apology were received from the Dean of Christchurch, Oxford, Lord Brougham, Viscount Palmerston, the Bishop of London, and Lord Lyndhurst, all approving the object of the meeting ; and Dr. Hawtrey, Mr. Byng, General Evans, Lord Campbell, the Chaplain of the Forces, and other gentlemen took part in the proceedings. A committee was formed, which met two or three times and then ceased to exist, because they had succeeded in their object ; for within a few weeks military drill was established at Rugby, Harrow, Eton, Westminster, and other schools, and had been attended with the happiest results. It had also been introduced into many proprietary schools. But it was especially with regard to the necessity of physical training for the pauper population of the country that he wished to call the attention of the House. Through the energy and ability of Mr. Tufnell, the district inspector of the London Union, there had been established in the schools under his jurisdiction a system of military drill of which from five to six thousands of the poor children in the neighbourhood of the metropolis were deriving the benefit. He believed the President of the Poor Law Board had recently paid a visit to the Limehouse District School, and was delighted at what he saw there. He had, himself, visited that school, in which children of the very lowest and most criminal class, many of them stunted in growth and naturally scrofulous, were being educated, and it was really astonishing to see what tidy, obedient, orderly, and respectable boys the military training to which they were subjected made them. He saw them go through their drill, which they did with the greatest precision, and he afterwards called out one of the boys, who commanded a company, and asked him to drill the remainder, and he did it admirably. Besides military drill, music was also taught to these boys, who, in consequence, were enabled on quitting school to obtain almost immediate employment as musicians in the army. Naval drill, too, was taught, and in the union-yard a mast, fully rigged, with sails, ropes and spars, was erected, and the boys of the naval class were exercised in doing everything which sailor boys should do. They furled and unfurled the sails, stowed them away, and ran about the rigging like monkeys. The result was that these district boys of thirteen from the pauper workhouses of London got higher wages, when they went to sea, than boys two years holder coming from seaport towns ; and one captain had declared that he would give any money to get more of them, because they were so well drilled. He believed that the annual expense for training boys in the navy was about £45 per head, whereas the training of these boys in the district schools cost only a mere trifle. Mr. Tufnell stated, that if the Government would only supply the schools with old masts, rigging, and spars, which were lying useless in the Admiralty yards, he would supply the navy with 400 boys annually admirably fitted for the navy from the metropolitan districts alone ; and it certainly would be well for the noble Lord the Secretary to the Admiralty to consider whether, instead of selling old stores for nothing, it would not be a better investment of property to give a portion of them to these schools. He was anxious to see this system of school drill more generally adopted, believing that it tended to the physical development of the boys, and was accompanied by other advantages. For instance, sailor boys trained as he had described, at a district school, received higher wages than the sailor boy two years older from a seaport town; and as soldiers the boys had a better chance of becoming non-commissioned officers after they had learnt their drill at school. With regard to other trades and occupations, the evidence given before the Royal Commission on education went to prove that the trained schoolboys were prompt and punctual as compared with the other boys; and it was calculated, that if the system of drill prevailed in all the schools, one-fifth would be added to the value of the labour of the country. The boys, moreover, were rendered more apt, disciplined, and obedient. In further corroboration of this fact he could refer to cases where drill having been abandoned for a time, the schools lapsed into confusion and disorder in consequence, and they were obliged to resort again to the system in order to restore discipline and a healthy tone to the general instruction of those schools; in fact, the drill-sergeant was found the schoolmaster's best friend. He had ascertained from some of the gentlemen, who two years ago were in favour of the establishment of drill in public and other schools, that their opinion on the subject remained unchanged. Mr. Tufnell said that almost all the large schools about London now practised naval and military drill with the utmost advantage to the boys educated therein. As regarded the sanitary aspect of the question, it was universally admitted that the practice of drill tended to establish a strong and healthy constitution in those that resorted to it. It appeared that the death-rate in the schools where the system he advocated was not practised amounted to about 12 per cent; whereas in those establishments which included drill in their educational course the death-rate was reduced to about 7 per cent. Dr. Goodford, the provost of Eton, had given the strongest testimony in favour of military drill. Mr. Warre, one of the Eton masters, warmly supported the rifle movement and the training of boys to military practices, as being conducive both to their moral good and to their physical development. There could be no doubt that the practice of drill in schools was the source of unmixed good. There was at Oxford one of the finest gymnasiums in the world, which proved that those practices were conducive with the highest order of collegiate education, and that the development of the mental and physical faculties might go hand in hand. The objections to the extension of the system appeared to be—first, that it was not desirable to take boys away from cricket, foot-ball, and other healthful exercises; and secondly, that it would be expensive. With regard to the first of these arguments, one hour a week was all that was required for this drill, and he was one of those who thought that that hour might with advantage be taken from the time devoted to other things than the exercises referred to; for those philosophers who had turned their attention to the subject of education had made the discovery, that the less they tied a boy to his studies, the more was he likely to learn. With reference to the cost, it appeared from the papers before him that the cost of drill in district schools amounted only to 1*d.* per head each week. Now, when it was clearly shown that the system increased the value of the labour of the boys by one-fifth, he thought it was obvious that this additional cost would prove a wise investment of the ratepayers. He hoped that the House would affirm the Resolutions he was about to move, and thereby stamp with their approval a system which already existed and was in operation amongst 5,000 or 6,000 pauper children. The system was one which would add to the manly vigour and strength of the youth of this country, and, as he believed, would increase its power and security. By the general adoption of the system of drill they would be only reverting to the ancient usages of this country, and following the example of many continental nations. He trusted, therefore, the House would not hesitate to stamp with its approval the system which he advocated, and begged to move—

"That the physical, moral, and economical advantages arising from a system of physical training have been clearly shown in evidence before the Royal Education Commission:

"That is is expedient for the increase of the bodily as well as the mental aptitudes of children for civil, industrial, as well as for possible Military Service that encouragement and aid should be given for the extension of the practice of systematized gymnastic training, and for teaching Military and Naval drill as now practised in the district half-time Schools for Orphan and Destitute Children, and in other Schools for Pauper Children."

Mr. ADDERLEY seconded the Motion.

Mr LOWE said, he must confess that

the Resolution of the noble Lord, notwithstanding the elucidation it had received from his speech, appeared to be extremely obscure. The noble Lord had told the House that gymnastic exercise were already practised in pauper schools as well as in many public schools with great advantage, and sought to establish as an inference "that encouragement and aid should be given for the extension of the practice of systematized gymnastic training." "Encouragement and aid" to whom, he would ask, and "extension" in what direction? From whom, he might further inquire, were the aid and encouragement to come? To that important question the noble Lord had supplied no answer. He had, indeed, stated that a penny a week would be sufficient to procure for each child, instruction in drill, and that that amount would, in his opinion, be very properly expended in the promotion of such an object by the ratepayers or whoever else would have to pay it. But who, he should like to know, were the persons indicated by those words, "whoever else"? Did the noble Lord allude to the Committee of Council on Education? Now, for his own part, he had not a single syllable to say by way of objection to the panegyric which the noble Lord had pronounced on the scheme of exercise which he advocated, but the proposal which he made was no trifling one. There were at that moment upwards of a million of children, on the average, in attendance under the Privy Council system. Half of that number was composed of boys, and they would come under the operation of the Resolution—so that a sum of 3*s.* 8*d.* per annum, taking the time at forty-four weeks in the year, would have to be paid for each of 500,000 children. The proposition of the noble Lord, was in short—if he meant to throw the burden on the Committee of Council—that whereas a *maximum* of 12*s.* was paid by the State for each child for being taught reading, writing, and arithmetic, as well as in the shape of a capitation grant for average attendance, the present grant should be increased by one-fourth. The simple question, then, was—admitting the excellence of the training which the noble Lord so much eulogized—had he made out a case why the Government should pay out of the general taxes of the nation a certain amount of money for the promotion of the object which he had in view? It should be borne in mind that education throughout the country was not so much in the hands of the Government as in those of the managers of schools. The Government lent their aid in carrying out the system, and had established particular *criteria* by means of which the extent of that aid was determined; but, as he had frequently pointed out, reading, writing, and arithmetic, for the teaching of which Government came to the assistance of the managers of schools, did not signify a complete scheme of education. There was besides religious instruction, as well as instruction in geography, history, and other matters, which the children might receive, although the Government did not pay for it. The proposal of the noble Lord, however, would seem to go the length of imposing upon the Government the duty of paying the managers for having the children taught anything which it might be deemed useful that they should learn. He would have a capitation grant for instance, for instruction given in music, or in shoemaking, or in any other branch of trade. But the House could not fail to perceive, that if that principle were established, and if the capitation grants were made until the subsidy now given to schools was doubled or tripled, we should be entirely relieving the managers from the voluntary burden the undertaking of which constituted one of the grounds upon which grants were at present supplied. His noble Friend's speech, therefore, although it might be very proper as an exhortation to the managers of schools and to ratepayers to provide gymnastic training for the children with whom they happened to be connected, yet embodied an idea—the idea that it was the duty of the Privy Council to devise means in addition to the existing education grant to promote the teaching of anything because it might be deemed useful—which he must altogether repudiate. The proper principle upon which to proceed was not that in every case in which instruction might be usefully given Government aid ought to be rendered, but that education, to a certain extent, having been provided for the people, Government should lend assistance to its promotion on certain conditions. If, he might add, that principle were departed from, and such a system as that indicated by the speech of the noble Lord were adopted in its stead, the extravagant expenditure of the public money which would be the result would, he ventured to say, operate most prejudicially. For those reasons he begged to protest against the Resolution of the noble Lord, if it was to be understood, as he was afraid it must be, as pledging the House to the opinion that the educational grant should be increased for such purposes as that which the noble Lord advocated.

MR. ADDERLEY said, that he thought nobody could dispute the proposition of the noble Lord that great importance was to be attached to military training both morally and physically; but there was a want of point about the proposition, and some alteration in the Motion was necessary to render it practicable. The right hon. Gentleman stated that the proposition did not fall within the scope of the Education Grant, but he (Mr. Adderley) did not see why some aid should not be given to that part of education. He trusted the right hon. Gentleman, who, he thought, had exaggerated the expense, would not oppose the proposition if it were rendered practical, and he would suggest to the noble Lord the propriety of altering the form of his Motion so as to require the Committee of Council on Education to give instruction to the School Inspectors on the subject, and attach to the grants the necessity of the use of gymnastic exercises for the boys in all the schools aided by Government Grants.

Motion made, and Question,

"That the physical, moral, and economical advantages arising from a system of physical training have been clearly shown in evidence before the Royal Education Commission:

"That it is expedient for the increase of the bodily as well as the mental aptitudes of children for civil, industrial, as well as for possible Military Service that encouragement and aid should be given for the extension of the practice of systematized gymnastic training, and for teaching Military and Naval drill as now practised in the district half-time Schools for Orphan and Destitute Children, and in other Schools for Pauper Children,"

—put, and *negatived.*

AFFAIRS OF CHINA.—RESOLUTION.

MR. WHITE said, that he rose to call the attention of the House to a question of vast importance. In speaking of China he was influenced by recollections of the past, having spent a large portion of his life in that empire; and he had the strongest interest in promoting the tranquillity and prosperity of that empire, because he had been for many years and still was connected with a part of that empire near the locality of those operations upon which he would animadvert. Although the subject was considered by a large majority of the House to be a very uninteresting and disagreeable one, events passing in the East had been and would be so intimately connected with the finances of this country that the attention of the House sooner or later must be given to the question. He would therefore say, in a spirit of perfect friendliness, to hon. Members that they must address themselves to the subject, and to the best of their ability make themselves masters of it, as for some years it would form a prominent topic of debate, if the policy advocated by her Majesty's Government was persistently pursued. It was a profound and trite remark of the late Duke of Wellington that the dignity of Great Britain forbade it to indulge in little wars; but so long as the noble Viscount was at the head of Her Majesty's Government he would apparently always afford us the luxury of a little war, which sooner or later would grow into one of great dimensions. Such would prove to be the case with the war raging in China. In giving notice of a Resolution upon the subject he had been actuated by no party spirit, nor by any feeling of hostility towards the Government, but he had brought the matter forward solely on public grounds. Had he wished to perplex or to embarrass the Government, his Resolution would have been framed in other terms. It was not his intention to indulge in severe animadversions on Her Majesty's plenipotentiaries, nor on our admirals, generals, and consuls in that part of the world. On the contrary, he held that the Government were responsible for the acts of their officers, and therefore he would address himself solely to them. He had to state at the outset that the course of policy pursued in China was not creditable, after the declarations made by Her Majesty's Ministers in that House; and that that assertion might not rest on his unsupported *ipse dixit*, he would refer to *Hansard*, and read to the House what was said by the noble Lord the Principal Secretary for Foreign Affairs on the occasion of a debate which took place on the 31st of May last year, when the hon. Member for Greenock brought the affairs of China under the notice of the House. Earl Russell then said—

"In what way, then, is it possible for us to interfere so as either to put down the Tartar dynasty, or to enable that dynasty to suppress this insurrection? I conceive that it is not our duty to do either one thing or the other . . . but the course of the British authorities will be to

> preserve a neutral attitude, and endeavour to protect the persons and property of British subjects where they may be in danger. . . . It is a great misfortune that the country should be in such a state of civil war; but I can assure the hon. Gentleman that the views of her Majesty's Government will always be in favour of neutrality." [3 *Hansard*, clxiii., 387-8.]

The noble Lord at the head of Her Majesty's Government, on the same occasion, concluded his remarks in the following sentence:—

> "All that we can, in my opinion, be expected to do is that which my noble Friend has shown that we are doing—giving neither party cause to complain, and, as far as hostilities are concerned, acting according to the principles of strict neutrality." [3 *Hansard*, clxiii., 405.]

Five months later he found the noble Earl the Foreign Secretary writing out to China that "it might be expedient to protect the treaty ports if the Chinese would consent not to use those ports for purposes of aggression against the rebels." It would seem that the noble Lord, when penning that despatch, was oblivious of the fact that the treaty ports were then being used for the express purpose of aggression against the rebels. He had gone carefully through all the papers laid on the table, and he had been very much puzzled to find that the acts of Her Majesty's representatives in China had been the very reverse of the instructions that had been sent out by Her Majesty's Ministers. That discrepancy was to him inexplicable, unless he accepted the popular belief outside—whether ill-founded or well-founded he did not know—that people in high places sometimes by a significant memorandum or postscript completely nullified the effect of their public despatches. They had been told that it was the postscript "Go it, Ned," of his late Majesty, who was then First Lord of the Admiralty, to Admiral Codrington, which led to the calamitous and disastrous victory of Navarino. He was almost induced to inquire whether, when these peace-loving despatches were sent to China, when these declarations of neutrality were made, and when these appeals to all those principles which command approval in this country were written, the Prime Minister, or some other individual had not added a significant postscript, such as "Go it Bruce!" or "Smash the Taepings!" Whether that was so, or not, certainly the acts committed in China were in direct contravention of the despatches from home. And what added to the mystery was this, that where there was a direct non-conformity with the instructions, it was found that those who most disobeyed the orders of their superiors at home, received the highest applause, and the chances were, they might even receive the thanks of Parliament. The House was aware, from what appeared in the public papers, that they were in a state of actual war in China. The last advices from Shanghai were to the 21st of May; and the telegraphic news appeared in the papers of yesterday. He took the opportunity of stating that the telegram was not correct in the names. It was obvious that it was Ningpo and not Tsingpoo that had been wrested from the Taepings. Ningpo was one of the treaty ports, which had been in the occupation of the Taepings for four months or more; and Tsingpoo was a place about eighteen miles from Shanghai, or twenty-five miles by the river; it was in connection with the Grand Canal, where inland navigation centred, and was a very important place taken in its connection with Shanghai. One part of the telegram was very remarkable. They were told that native troops had been ordered from India for the defence of Shanghai. He wished to inquire from the noble Lord by whose authority and under whose instructions these troops were so ordered from India to China. What was the value of our Mutiny Bill—what was the value of that practical control which Parliament professed to have over the finances of the country, if, at the will of any official, troops were to be ordered on to India, and the "little Bill" was to be sent to the House? A great constitutional question was involved, assuming the telegram to be true; and the matter demanded the serious attention of the House at this invasion of one of its most important privileges. The policy of their officials in China had been, not a policy of neutrality, but one of systematic co-operation with the Imperial power. The terms "perfidious" and "cruel," once applied to the Imperialists, were now applied to the Taepings; and those people who formerly were the loudest traducers of the late Commissioner Yeh, and branded him as a ferocious butcher, now said that his conduct was justifiable, as he slaughtered only the rebels. In connection with the occupation of Ningpo by the Taepings, a despatch had been sent out to China which would be fraught with the most important consequences to this country. It was to be found in page 111 of the blue-book, and it was that of Earl Russell to the Admiralty in reference to the protection of the treaty ports. The noble Lord, writing on March 11th, 1862, said—

> "In view of the subsequent capture of Ningpo, and the reported intention of the Taepings to attack Shanghai, it now seems to Her Majesty's Government desirable that Vice Admiral Hope should be furnished with instructions of a more comprehensive character. The atrocities which have been witnessed in the case of the capture of other cities have paralysed all trade and industry, and have driven away the whole or a greater part of the peaceable population, and have scattered ruin and devastation far and wide. The interests of humanity and commerce alike demand that the city and port of Shanghai, with its numerous native population and foreign settlements, which cannot be separated from the rest of the city, should be preserved from a similar fate. British interests alike require that the same protection should, as far as possible, be accorded to the other treaty ports. I have therefore to signify to your Lordships the Queen's commands that Vice Admiral Hope should be instructed to defend Shanghai, and to protect the other treaty ports not in the hands of the rebels, so far as it is in the power of Her Majesty's naval forces to do so. Vice Admiral Hope should further be instructed that the British flag is to be protected on the Yang-tze-Kiang by a naval force, and generally that British commerce is to have the aid of Her Majesty's ships of war."

He, as a merchant, having an interest in China, could have no objection to the protection of British property; but his complaint was, that another policy might have been adopted, which would have rendered any interference on the part of their naval and military forces wholly unnecessary. What did that despatch mean? and what did the policy it indicated involve? The noble Lord took upon himself the defence of sixteen ports, embracing a long line of coast and country extending one thousand miles inland; he had given instructions to defend twenty degrees of latitude and twelve degrees of longitude. With reference to their ability to undertake such a stupendous task, he would read the opinion of one of the most competent of Her Majesty's consuls, Mr. Meadows, who, writing to Earl Russell on the 19th of February, 1861, said—

> "A few years back the aid of a small British army and naval squadron operating along a portion of the Great River (Yang-tze-Kiang) could perhaps have enabled the Manchoos to suppress this particular Chinese rising against their rule; but now it would require a large fleet of steamers, operating throughout some 1,500 or 2,000 miles of the Great River and its larger harbours, and some 20,000 troops operating in some three or four complete small armies in different parts of the tract of country mentioned above as being more or less in the occupation of Taeping forces, and which extends about 800 to 900 miles from north to south, and 1,000 to 1,100 from east to west. It would prove one of the most troublesome and costly wars that England ever engaged in; costly as regarded the direct outlay, and still more costly as regarded the consequences to our trade; for the region in question is that which, practically speaking, produces the whole of our tea and silk exports, and which consumes the larger portion of our manufactured imports; and the effect of our hostilities in it would be to overspread it with anarchy and desolation."

He knew he should be met by the hon. Under Secretary of State with the declaration, that all that had been done for the benefit of trade and commerce, and therefore he would tell him beforehand that it would be hard to make out such a case. How stood the matter? Had they any deficiency of tea? On the contrary, that year they had an import of unexampled magnitude. With regard to silk, they had received more than was necessary to meet the requirements of the country; and although there was rather less that year than last, it was because the prices were so unremunerative to the importers. It had been said that they might count on a diminution of the supply, because the Taepings had occupied certain provinces. What then was the fact? Why, that from his own knowledge he could assure the House that at that time they had double the quantity they ever had of the particular kind of silk produced in the rebel district. That fact showed that there could be no considerable impediment to industry in that part of China. But, unhappily, there was in China a complication of which he did not see the end. He had never indulged in irritating language towards the neighbouring power of France; but with all respect for France, he must say that, in his opinion, it was a grievous calamity to have her co-operation in China. The ways of France in China were not their ways, nor were her interests theirs. That was shown by the ostentatious declaration made in the Senate by Count de Montauban, the Commander of the French forces in China, that the interests of France in China were not British interests, but the interests of religion; and he asserted that it was nothing less than a calamity for this country to be associated in the purposes which that phrase implied. Sooner or later the House would hear a great deal about Chinese affairs, and therefore he had better tell them at once something about the French co-operation. The French had a most intense and even envenomed hatred against the Taepings, which appeared to have arisen in this way:—The old and venerable superstition Buddhism prevailed in China, and it was a remarkable fact that there was a most wonderful similarity between the rites, customs, and observances of that religion and those of the Roman Catholic religion. Every one who had been in China, as well as in the Roman Catholic countries of Europe, must at once have been struck with the resemblance. At the corners of the streets would be found images of the Queen of Mercy, represented exactly like the Virgin and Child, and candles were burnt before them; the Buddhists had monasteries and nunneries, whose inmates had shaven heads; and all the pains and penalties of purgatory were described on the walls of their temples. Indeed, so striking was the resemblancce, that if any Gentleman who heard him could be transported to the interior of China in a trance, and thus suddenly to find himself in one of these Buddhist institutions, he would easily mistake it for a Sicilian monastery. Father Ripa stated that it was the cunning of the devil which had invented this parody on the holy Roman Catholic faith, that he might seduce souls to their eternal condemnation. In their irruptions the Taepings destroyed some images of the Virgin Mary, whom they mistook for the goddess worshipped by their Pagan countrymen, and, unfortunately, they also massacred some Catholic priests habited as Chinese, whom they confounded with the native religionists. Thus began a bitter enmity to the Taepings on the part of the French, who were prepared—as M. de Montauban had said—to advance their own faith in China in a way that must lead to perplexing consequences, which we should have to deplore. In making these remarks he disclaimed any feeling of hostility towards members of the Roman Catholic Church, and his votes in that House bore out that disclaimer. He merely wished to point out the inconveniences which might arise from the introduction of the religious question. He knew something of the influential Roman Catholic dignitaries in China. The last time he dined in China was in the company of the Roman Catholic bishop of Nankin, a most estimable prelate. He should also add that the whole of the French trade with China did not amount to 5 per cent. of that of Great Britain, and therefore she must have some other motive than a mere pecuniary one for taking the part she now did in the suppression of this rebellion. He might mention that, according to the last advices, Admiral Protet, the French naval commander, was supposed to have been killed in fighting against the Taepings. It might be thought he was exaggerating the importance of the question. Did those who so thought know what the Taeping power was? Sir Harry Parkes had recently given a narrative of the progress of that rebellion at a reunion at the house of the hon. Member for Perth; and he stated, that although ravaging a comparatively small portion of China, it comprised an area of 130,000 square miles, and included a population of not less than 93,000,000 souls. He had never sympathized with the religious tenets of the Taepings, and had incurred obloquy for exposing the delusion under which the people of this country had laboured on that subject. He subscribed entirely to the character which Consul Harvey had given of the Taeping doctrines—namely, that nothing more blasphemous, either in its creed or its ethics, had ever appeared in the world. But the Taepings had been for nine years at Nankin; and as even his sable majesty was said not to be as black as he was painted, so many of their acts had been much exaggerated. Unhappily, great cruelties were the too common accompaniments of civil war. He was at a loss to understand the sudden change which had come over the policy of the Government in regard to the rebels, because it was directly at variance with the opinions expressed by some of those who ought to be best informed on such a matter. Admiral Hope, for example, writing to Mr. Bruce on the 11th July, 1861, said—

> "On the other hand, the Taeping authorities will be open to easy access by us, so long as Nankin remains the seat of Government, and from such experience as our short intercourse has afforded, I see a fair prospect of our acquiring sufficient influence with them to enable us to carry all points which are essential to our commercial interests, even to that of eventual abstinence from molesting consular ports. It is further clear that we cannot afford to quarrel with them, as at any moment they might stop the whole trade of Shanghai, at this time by far the largest portion of that from China."

To those views he (Mr. White) entirely subscribed; and he would add that it was most extraordinary that the Government should have adopted the course they had done, because they had no cause of complaint against the Taepings. We made a convention with them which they had observed, perhaps not from feelings of friendship or affection, but from feelings of respect and fear of British power. Why our policy, then, should have changed so suddenly was inexplicable. We had waited until the Taepings became masters of the province, and until they had acquired a hold upon all the country except Shanghai, and then, when they had subjugated the country, we turned round, and, in conjunction with the French, were about to expel them from the province. Had we interfered earlier, at the request of the Chinese authorities, there might have been some sagacity in our intervention, though he could not see the justice of it; but to wait until the mischief had been done, and then to re-enact the same scenes of carnage, was what he could not comprehend. In 1853, when the Taepings first took possession of Ningpo, the Imperialists applied to us for assistance. Sir George Bonham wrote a despatch in reply, in which he said it was the established custom of this country in no way to interfere in contests in other countries not under British rule. Sir George Bonham was not a member of the party to which he (Mr. White) belonged; but if he had remained in China, and if his advice had been followed, then the £7,000,000 we spent in the last China war would not have been expended. And what was British policy only a few months ago? On the 3rd January, 1861, Her Majesty's Plenipotentiary, Mr. Bruce, wrote to Earl Russell—

> "It does not appear to me necessary to take any part in this conflict, but our material interests at Shanghai justify us in insisting on its being exempted from attack until the insurgents have sufficiently established their superiority to enable us to consider the contest, as respects that part of China, at an end. In that case the population of the town will be quite ready to acknowledge the new power, and the authority of the mandarins will fall without a blow. That such a result has not taken place as yet, is to be attributed to the dislike felt by the respective classes, who guide opinion in China to the principles and conduct of the insurgents, rather than to any decided inclination on behalf of the existing Government."

Nothing could be more true than those remarks. And six months later Mr. Bruce, writing to Admiral Hope on the 16th June, 1861, said—

> "Her Majesty's Government will, however, probably abstain from rendering active assistance at present to the Imperial Government, both on account of the assurances of neutrality we have given to the insurgents, and on account of the serious and indefinite consequences to which any such intervention would in all probability lead. Furthermore, I do not think that order and tranquillity can be permanently restored unless the Imperial Government regains its prestige among the people by some such proof of its vigour and power as would be afforded by its successful action against the insurgents."

Mr. Bruce thus concluded—

> "This (the Imperial) Government only requires to be convinced that our interests are linked with its own to render it obstructive and unmanageable, and the longer we are able to preserve an indifferent attitude between the two parties, the more inclined they will be to bid higher for our friendship and support."

Under such circumstances, he contended that the change of policy was most inopportune. Why did they not interfere when the Taepings first went to Nanking, seeing that Ningpo was only 180 miles from Shanghai? Even later, when the rebels took possession of Shanghai, trade went on, and the loss they suffered was not from the rebels but from the Imperialists. Indeed, so intolerable was the treatment they received from the Imperialists, that the foreigners turned out, and in conjunction with the seamen in the port, assaulted the Imperial camp. Some of the British residents lost their lives, but they drove the Imperialists away. Except for the interference of the French, the city would have remained in the possession of the then occupants, but they assaulted and took it for the Imperialists. The House might not be aware that the Imperialist Government had ostentatiously declared in the *Pekin Gazette* of the 12th February they had made an alliance offensive and defensive with the British and French Governments. From that and from what seemed to be going on, it appeared that Her Majesty's Government was inextricably committed to that course of policy. He was not indifferent to the interests of our fellow-subjects in Shanghai. Indeed, he had a deep personal interest in the safety of life and property in that part of the world. The value of their foreign trade with Shanghai, a place which a few years ago could not be found on the maps, might be fairly estimated at £30,000,000 per annum. He should probably be told by the hon. Under Secretary for Foreign Affairs that the occupation of Ningpo by the rebels had been disadvantageous to English interests. Capitalists of all countries were timid; and when Chinese merchants were told, as they had been, that the British and French Governments would interfere and drive the rebels from Ningpo, it was likely that the occupation would prove disadvantageous. But the fact was, that there was a larger trade at Ningpo when it was held by the rebels than when it was in the occupation of the Imperialists. The last accounts described a conflict in which we were engaged at Shanghai, in which 2,000 English soldiers were engaged, and the local paper, the organ of the Government, indulged in strong language with regard to our conduct on that occasion. He could not say he shared the opinions of the writer, who said—

> "What are we to think? Here are British people plundering the plunderers; and instead of handing over the property they have obtained without sacrifice of life, which they did on the 1st May, to the extent of 130,000 taels, or £40,000, to the proper owners, they seized it as loot or prize money."

It was fair to inquire what the Imperialists were doing for us. Were we better treated, or were we deriving any sensible advantage from the course we had pursued? Here he would refer to the latest accounts from China. At the time we were co-operating with them in the interior against the rebels, the Imperialists were insulting and maltreating our fellow countrymen. That took place at Hankow, one of the cities described by Abbé Huc. Hankow was 600 miles from Shanghai, and the last accounts were, that "foreign life and property were not safe in the midst of the armed miscreants, who were raised and sent down the river for Imperialist purposes." At Kiu-kiang, another Imperialist place, the accounts said that not only were British merchants attacked in the streets and their hongs broken into, but junks sailing under the British flag were seized and plundered, and the villains had the audacity to break into the British consulate. As to Kiu-kiang, more than a year ago land had been conceded for the use of the British merchants; and though it had been paid for, not a single foot had yet been obtained, and another year would elapse before they could feel safe as residents. It might be asked what was to be done in the matter? He had a friend in China who was formerly a Member of that House, and sat on the Opposition side, and he had written to him in corroboration of the information which he (Mr. White) had received from other sources—namely, that there was the most earnest and sincere desire on the part of the Taepings to come to terms with the Imperial Government. And, furthermore, they had such respect for the power and authority of the British Government that the latter had only to will it and it would be done. He felt quite certain, that if some persons properly accredited were sent out to China from this country wholly unconnected with past transactions, they would most likely succeed in tranquillizing that country and accomplishing all that we desired without that vast effusion of life and expenditure of public money which certainly must follow if the present policy of Her Majesty's Government were persisted in. Before he sat down he thought it right to lay before the House a statement of what might be considered to be the present condition of affairs in China, and on that subject the most trustworthy authority to his mind was Mr. Consul Medhurst, who, in writing to Earl Russell, on the 19th February, 1861, said—

> "But the hitherto existing Imperial Government, that of the Manchoo or Ta-tsing dynasty, which was already becoming weak from internal causes, has received its death blows from the external action—first of British arms alone, and now of British and French combined. No strong national Government now exists anywhere, and in large, and to us very important, portions of the country, anarchy and insecurity prevail. It becomes, therefore, of the utmost importance to look around us for some other power in the nation to take its place. If we find any such other power, we must not only not attack it, but must earnestly desire its speedy growth. An adherence, not less wise than just, to the principles of non-intervention, together with the due observance of the Treaties with the Ta-tsing Government, should prevent our taking direct positive steps to aid that growth; but, assuredly, it would be a most suicidal course, as regards those large interests to which I have pointed, first to achieve the destruction of the Government we find existing, and then to proceed to prevent any other from coming into existence."

He confessed that he should have wished to have addressed the House without reference to any of the blue-books, for after the garbling and suppression which had taken place in the case of the Affghan papers he did not place the most implicit reliance on blue-books; but knowing that there were still some persons who had great confidence in the documents which appeared in them, he had felt it his duty to refer thereto. He could not sit down without inquiring of the noble Lord who was to pay for the expenditure going on in China? It was in the interest of the taxpayers of this country that he put the question. As the hon. Gentleman the Under Secretary of State for Foreign Affairs was aware, a very large revenue was derived by the Chinese Government from British trade. As he (Mr. White) made out, at least £,3000,000 was derived by the Chinese Government from that portion of the foreign trade which passed under consular supervision. Now, he contended, that if the whole duty of defending the lives and property of British Merchants was to fall upon the English Government, they at least had a right to require that the duties levied by the Chinese Government, for which they gave nothing in return, should be allocated towards defraying the expense incurred in affording that protection and defence. He thought he was warranted in expressing that opinion, because, by the treaty, it was stipulated that British subjects should enjoy full security and protection for their personal property within the Chinese dominions; but, as stated by Mr. Consul Medhurst, "the existing condition of affairs and past experience too plainly proves this is a provision which cannot, at any rate, be fulfilled with regard to Shanghai." He says—

> "But for the presence of foreign troops in Shanghai the Imperial Government would long since have been ejected even from this little corner likewise. That they are ever likely, unaided, to regain their footing is more than doubtful, considering the effete condition of the Government and the wretched condition of their troops. It is useless therefore to hope for a moment that this settlement will ever have protection from the Imperialists."

Were we, then, for the purpose of keeping up a semblance of Government there, to levy heavy contributions on trade, to hand those contributions over to the Chinese authorities, and to abstain from calling upon those authorities to defend our merchants? He had thus endeavoured to trace what had been the avowed policy of the Home Government, and what had been the actual conduct of its agents in China. He had carefully abstained from denouncing our authorities there, because he was persuaded they had so acted, if not under the direct instructions of the noble Viscount, yet with the fullest assurance of his ultimate support and approval. For every one knew that the noble Lord loved a belligerent attitude, or what was called in official parlance a spirited public policy. In reference to the terms of his Resolution he would, in conclusion, remark that by intervention he meant active armed, or hostile intervention, and that he was in favour of a friendly mediation, which he believed to be practicable, and which, if adopted, would give peace and prosperity to those provinces of China now afflicted with the direst of all human calamities—civil war. It now rested with the House to decide whether it was prepared, under the auspices of the noble Viscount, to embark in another China war or not. The last China war had cost upwards of £7,000,000, and in the next he could predict they would see that amount largely increased. He had given his reasons for saying "No." The result of this discussion would tell the country, who would say "Ay." He had done his duty; let that House and the country do theirs.

Motion made, and Question proposed,

> "That it is the opinion of this House, that Her Majesty's Ministers should direct the British Authorities and Commanders of Her Majesty's Naval and Military Forces in China to avoid any intervention beyond that absolutely necessary for the defence of those British Subjects who abstain from all interference in the Civil War now raging in that country."

Sir LAWRENCE PALK said, he was glad to take that opportunity of seconding a Motion which had his full approbation and support. He did not suppose it would be a matter of interest to any one in that House to follow the history of the Taepings. So long as trade could be carried on with either of the hostile parties, it was a matter of the smallest possible importance with which of them their relations were established. If the Taepings proved better customers, they would prefer them, as they would the Imperialists if they were the better customers of the two. He did not think it necessary to trouble the House upon these questions, but he should pass on at once to the question of what the policy of England should be to maintain the trade which they already possessed, and for which they had paid so dearly. The policy of England should be one of peace and strict neutrality; they should have nothing to do with the quarrels of Imperialists or Taepings, but should look solely to the preservation of those ports which had been thrown open to them for purposes of commerce. He feared that was not the policy which had been adopted in China. He had received a letter from a gentleman of high station in China, whose information he had always found correct, and that letter stated—

> "It may be within your recollection that, in one of my letters in 1860, I deplored the policy which induced Mr. Bruce then to cause the Taepings, or Chinese reformists, to be fired upon when they first appeared before Shanghai, professing, as they did at the time, the utmost anxiety to maintain friendly relations with us. I then prognosticated that such suicidal policy would jeopardize British interests at Shanghai, so soon as the Taepings could reappear *en force* before that city, and what I apprehended in 1860 has now come to pass. The Taepings are now in possession of Hankow, of Ningpo, and of all the

country above and around Shanghai, and several hostile encounters in which we were the aggressors have taken place (and these, be it observed, several miles beyond the boundaries or neutral ground north of Shanghai) between the Taepings and our sailors and marines, commanded by Admiral Sir James Hope *in propria persona.* All the country beyond Shanghai, that is, the two Kiang provinces, are in the unmolested [by the Imperialists] occupation of the Taepings, who merely wished, when they neared Shanghai, to occupy that city strategically, so as to have an opening to the sea in that quarter, without interfering with British trade. We require in these seas not only a man of talent, but one of a silent, appreciating foresight; one capable of maintaining a strict neutrality between all parties at feud with each other in China; one incapable of being carried away by his predilections, and one able of comprehending the disguised and fast encroaching policies of the courts of France and of Russia, and of exposing them in his confidential despatches to the British cabinet. France and Russia are quietly and perseveringly increasing their maritime and land forces in the China seas, where France has an advantage we are utterly unable to meet or to counteract unless we maintain a strict neutrality. I allude to her Romish missionaries, who, appointed by the State, are here in the double capacity of *soi-disant* religious reformers as well as, I may say, 'ordained political emissaries.'"

He had also met with an account in the *China Overland Trade Report* of April 26, 1862, in which it was stated that—

> "Upon the fall of Ningpo, a few months since, a deputation of the Shanghai Chamber of Commerce waited upon Admiral Hope, when he distinctly told them that the only instructions he had were not to come into collision with the Taepings; that no authority had been given to him even to protect the city of Shanghai; but as he was cognizant of Her Majesty's Government having approved of the protection afforded to the city when attacked by the Taepings in August, 1860, and as he was also aware that the Secretary of State for Foreign Affairs had stated in Parliament that Shanghai should be defended, that therefore he (the Admiral) would so far exceed his instructions as to carry out what he knew to be the wishes of Her Majesty's Government."

He was at a loss to understand how the policy actually carried out could be reconciled with that which had been previously announced. He was also at a loss to know why the Government should have committed themselves to a cause in which they had no interest. There were urgent reasons why the English Government should not mix themselves up with foreign quarrels, especially when there was a large population at home enduring their sufferings with an heroic fortitude which had never been excelled, because they would not interfere in the affairs of the United States. In China, however, where their only interest was a commercial one, they sent troops to join a filibustering General (Ward), and carried into effect there a policy which they would not adopt in America. It appeared that a combined British and French force, numbering 2,100 men of all arms, had recently proceeded to attack a body of 5,000 Taepings, who had fortified themselves. These fortifications were attacked with artillery, and the Taepings driven out of them. It would appear that Ward was too late, and Admiral Hope, in attempting to call Ward off, was shot in the leg and disabled. The day following, British and French artillery was brought to bear on the intrenched camp of Sunkiang, and without the smallest casualty drove the Taepings out. On the 17th a second expedition, similarly formed and constituted, started for another fortified town, a little way east of Shanghai, which was garrisoned by 8,000 or 10,000 Taepings. The artillery again performed the murderous work required, and the place was captured with the loss to the assailants of one man killed and three officers wounded. The Taepings had 500 men killed, and 300 taken prisoners. He deprecated the pursuing of such a policy in their relations with China, and he could not conceive any conduct more calculated to lead to war. They had scarcely recovered from the expenses of the last war; and it seemed to him that nothing but a policy of non-intervention could prevent them from sliding into another war, which must result in vast expense and embarrassment. The House had lately heard a great deal about "bloated armaments," and some inquiry was made as to what this meant. Now, if the English power was so unnecessarily large that the Government mixed themselves up in the quarrels of others—if British sailors and marines, commanded by British admirals, were led on to an indiscriminate slaughter upon barbarians who were unworthy of British swords—then their armaments must be bloated indeed, and a policy which could suggest such outrages must require bloated armaments to support it. By a recent letter from Hong Kong he learnt that certain troops, instead of being allowed to leave China as had been intended, were detained there. Did that look like a policy of strict neutrality? There must have been a reason, with which the House was unacquainted, for that very unusual step. If any considerable number of men were detained in China, it was clear that the statement of finances which had been furnished to the House must be illusory, and the finances were not in so flourishing a condition as not to be greatly prejudiced by such a mistake. It was no use holding one's peace and hoping for the best, putting faith in the Government as to what they were doing. The country slipped into war, the House of Commons were asked for large supplies, and it was then too late to protest. That was the only time when they could raise their voices with a tolerable chance of inducing the Government to reconsider their steps. A letter in his possession stated that 500 men of the native Bombay Infantry arrived at Shanghai on the 25th of March, and had already been in action, having taken an intrenched camp of the Taepings some distance from the city. Thus their soldiers were wanted, not simply for defensive, but for offensive warfare. True, that was war upon a small scale; but it was to these wars upon a small scale that he so strongly objected. At the outset of the hostilities which arose out of the lorcha Arrow dispute the noble Lord stated that they were not at war with China, and that it was not a war likely to assume Imperial dimensions; yet the House knew what had been the expenditure of life and money there. He had no doubt it was that expenditure which had disorganized their finances and had rendered necessary up to that moment a double income tax. It seemed to him as if the late war were going to be enacted over again. Then a few troops were sent to avenge an insult to the English flag; and now a few troops were sent to storm a position occupied by the Taepings. By-and-by, the Taepings, as they were very numerous, might obtain some advantage over the British troops, and then, for the honour and glory of England, a large number of men must be sent out to re-establish the *prestige* of the British arms. He confessed that he thought the arms of England were somewhat tarnished, when he saw the British admiral at the Chinese station joining himself to one who was a convicted felon. He had no great love for military glory, but he had a feeling that the sword of England was seldom drawn in an unrighteous cause. He had a great pride in the achievements of the English flag, which had been carried with success through every region of the known world; but he thought that flag was disgraced when a British force was seen to be operating in strict alliance with barbarian troops commanded by a felon and filibuster. He trusted that the few words he had spoken might not be considered as partaking of any party spirit, and he wished the noble Lord at the head of the Government to recollect that a voice had been raised on both sides of the House to warn the Government against the policy pursued in China. But, however that might be, he felt that in this instance he only had done his duty in speaking before the evil was consummated; and if the policy of continued interference in China should be persevered in and should result in war, it would then be felt to be a great misfortune that the true interests of this country were not consulted by a peaceful and neutral policy.

MR. GREGSON said, that the hon. Member for Brighton had spoken of a little war, but it was to be hoped that they were not going to have any war at all. The Government, as far as he understood their policy, were only pursuing the system of perfect neutrality. He believed that the Government were only endeavouring to protect the treaty ports. Some incorrectness in the telegrams about the names of places had been alluded to; but, in his opinion, these telegrams were pretty correct, though he should desire in some instances fuller information to be communicated. He concluded from the wording of the last telegram with Chinese news that the Europeans at Shanghai had requested native troops to be sent from India for the purpose of protecting their lives and property. He was glad that Ningpo had been taken possession of by the Imperial Government, and he thought in was a mistake to allow one of the treaty ports to be taken by the Taepings. The hon. Member for Brighton recommended that some endeavour should be made to bring about an arrangement between the Imperial Government and the Taepings; but how was it possible to come to terms with such a body as the Taepings, who were really no better than robbers and murderers, and who, as was stated by the hon. Under Secrerary for Foreign Affairs on a former occasion, carried destruction and desolation wherever they went? The hon. Member for Brighton called the Imperial Government the Tartar Government; he might as well call the English the Norman Government. England was in amity and alliance with the Imperial Government, and it was clear that their influence was beginning to prevail with them to an extent it had never done before. He was happy to say that that

Government was rising to a sense of its duties, and was sending money to purchase gunboats for the protection of their sea coasts and rivers against the pirates and rebels by whom they were infested. He admitted that interference ought to be confined to the protection of their own subjects, trade, and the treaty ports; and if it was intended to add to their naval or military force there, he hoped that specific instructions would be given of that effect. Of course, if any of their naval or military men entered the service of China, they would do so at their own risk, and would forfeit the protection of their own Government. He submitted that great credit was due to Admiral Hope for having so promptly interfered to defend Shanghai against the rebels, and held that he was perfectly justified in prohibiting their approach within thirty miles of that city, and in attacking them when they disregarded his warning. It was all very well for hon. Gentlemen to talk of non-intervention; but to protect the lives and property of our subjects was not intervention, but a positive duty which the Government could not disregard.

MR. KINNAIRD said, that considering the length of time his notice had been on the paper, he had expected that the hon. Member for Brighton would have brought forward a stronger case. He had been puzzled to discover the object of the Resolution, which he strongly deprecated, and which he hoped the House would not adopt. Nothing could be more mischievous than for them, without knowing the facts, to lay down rules in respect of Oriental countries as if they were European nations. To say that a war existed between us and China was a misapprehension. All that they had done there was to defend the treaty ports, which the Imperial Government were bound to defend; but, failing to do so, it became obviously the duty and interest of the English Government to protect them from the atrocities and devastating barbarities of the Taepings. Admiral Hope, with great discretion, perceiving that they were, in fact, endangered by an incursion of murderers and robbers, took upon himself to defend the lives and property of his countrymen. But it was said why did he not wait until the Taepings arrived at Shanghai. That policy had been tried at Ningpo, and the consequence was well known. At Ningpo everything had been done to persuade the rebels against an attack, but in vain; and the rebels got possession of the town, which, however, he rejoiced at hearing had since been restored to the Imperial Government. Shanghai being similarly threatened, the gallant Admiral adopted the most humane course in his power. The country was flat; there were no defences: he gave notice to the marauders not to come within thirty miles; and no attack was made on them till they approached within that distance. It had been said that there was great slaughter among the Taepings; but let the House reflect upon the atrocities committed by those marauders, who had devastated provinces which before their incursion had possessed an enormous population, and which were now converted into deserts. Sir Harry Parkes entirely approved of the policy of Admiral Hope, and a better authority there could not be, for he had been on the spot, and was fully acquainted with all the circumstances. The hon. Member opposite had spoken of the expense of Chinese wars. No doubt war was expensive, and on that as well as on other accounts was to be deprecated; but as a mere question of expense, he thought that the present and probable future extension of commerce with China was far more than an equivalent for the money expended. The trade already amounted to £30,000,000 annually; and should they be able to repress these bands of marauders and murderers, and to strengthen the hands of the Imperial Government, immense advantage would accrue. Since they had had an Ambassador at Pekin the Chinese Government felt inclined to receive, not their dictation, but their advice; and already symptoms of improvement were evident. What had hitherto been done had been merely for the protection of life and property, and it was altogether wrong that that should be magnified into a war. He trusted that the Government would not depart from the policy they had hitherto pursued, and that they would listen to the advice of their able officers in China rather than to that of persons at home who were not so competent to form an opinion upon the state of affairs in that country.

COLONEL SYKES remarked, that unhappily that which he had more than once predicted in that House had come to pass, and they were now engaged in hostilities with a population of 100,000,000 souls, who, it was said, had armies in the field mustering 400,000 men. Those were not the characteristics of a party of brigands as they had been described. The Rev. Mr. Homberg, of the Basle Evangelical Mission, who published an account in 1853 of the origin of the Taeping rebellion, stated, from the personal testimony of a schoolfellow, that the leader was not an ignorant fanatic, as had been represented, but was a distinguished scholar, with an ancestry that could be traced back to the twelfth century, in the clan "Hung," to which he belonged, and which counted some 20,000 members. With his religious notions the House had nothing to do; but whatever they were, and though he had blasphemously called himself the younger brother of Christ, and pretended to have a divine mission to extirpate idolatry and to drive the Tartars from China, he had, nevertheless, caused the Bible to be printed and published in its integrity, and copies of it were in the hands of several gentlemen in China. The noble Lord at the head of the Foreign Department of Her Majesty's Government was the type of honour; and if his instruction to the effect that it was the wish of the Government that a strict neutrality should be maintained between the conflicting parties in China had been carried out, the British would not have found themselves in their present dilemma in that country. Since June last year, however, Mr. Bruce had evinced a hostile disposition to the Taepings, and even alluded, in a letter, dated June 16, 1861, to Admiral Hope, to the prospect of its being desirable to reduce Nanking. No doubt such a feeling would end in an expedition to the Taeping capital, and then the Foreign Office would have no alternative but to accept this additional violation of neutrality, as *un fait accompli*. Mr. Bruce and Consuls Medhurst and Hervey had filled blue-books with accusations against the Taepings; but Mr. Consul Meadows, of greater experience and knowledge of China than either of them, stated, in a lengthened despatch to Earl Russell, dated Shanghai, 19th February, 1861, in which he took an enlarged view of the position of the Tartar Government and the Taeping rebellion, that the accusations against the Taepings were very grossly exaggerated respecting the slaughter of their countrymen, and which was chiefly referable to the military colonies of the Tartars. Mr. Meadows entirely denied that the Taepings have no regular form of Government; and with respect to the alleged universal desolation of the Taeping districts, he stated it to be untrue, from the evidence of the Rev. Griffith John, who travelled 120 miles through their districts, from Tsing-poo to Nanking. But he (Colonel Sykes) would maintain, independently of the testimony of Consul Meadows and Mr. Griffith John, that the export trade returns from Shanghai, since the Taepings took Nanking in 1853, and the two Kiang provinces, manifestly prove that the asserted general desolation caused by the Taeping progress is unfounded in fact, since the export of tea had increased from 25,940,000lbs. in 1853-4 to 53,619,113lbs. in 1862; and of bales of silk, from 55,185 to 88,112 in 1860-1, and 76,366 in 1861-2. Mr. Bruce himself, in a despatch to Earl Russell, dated the 7th August, 1861, notwithstanding the state the country was in, stated that the export of silk between June, 1860, and June, 1861, actually amounted to 850,000 bales. Moreover, a gentleman who had travelled in China, and who had just returned to this country, had recently called upon him (Colonel Sykes), and stated that the country around the cities occupied by the Taepings was densely populated, and was in a better state of cultivation than that in the possession of the Imperialists. A great deal had been said of the inhumanity of the Taepings, and of the desolation produced by them wherever they appeared; but there were exceptional cases, for at the recent siege of Ningpo the possession of a convent of the Sisters of Mercy, which overlooked a gate, would have given them an enormous advantage, but they refused to accept that advantage at the expense of molesting the nuns, and accordingly the property of the sisterhood remained unharmed. Though that city was taken by assault, not above half a dozen persons were killed. We had taken possession of the treaty ports under the pretence of defending European life and property, but nobody could say with truth that in a single instance European life or property had been destroyed by the Taeping authorities. Property had been in some few cases temporarily interfered with on the Yang-tze-Kiang to levy customs duties; but the English had gone much further than that, for they had seized the guns of the Taepings on the 14th of February, and fired shot and shell into private junks. He contended that the excuse for taking possession of the Treaty Ports on the ground of its being necessary to defend the property of foreigners was unjustifiable. Upon the same principle we ought to seize New Orleans, which contained an enormous amount of property belonging to Liverpool merchants. For his own part, he was an advocate, not of the Taepings, but of good faith and of the interests of the taxpayers of this country. He held in his hand a letter from a correspondent in China, who spoke as an eye-witness of the scenes he described. The House would recollect the description which appeared in *The Times* the other day of the capture of a place where 2,500 Taepings had been destroyed, and six or seven hundred prisoners were taken and sent to Shanghai, where executions were daily taking place. On a former occasion he (Colonel Sykes) stated to the House that a regiment of militia was paraded at Shanghai, and a Taeping prisoner brought out. His throat was cut; the colours of the regiment were dashed with his blood, and to give them courage the men rubbed their arms with the blood of the dying victim. The gentleman who wrote this was an eye-witness. But the atrocities described in the letter which he (Colonel Sykes) held in his hand, of the execution of the Taeping prisoners were so horrid, the ingenuities with which the wretched victims were put to death were of such a character, that he really could not read the details to the House; and these were the atrocities of the Tartar Governor, whom we were defending. On the other hand, the Taepings said no quarter was given to them, and they were compelled in return to give no quarter. And yet we were promoting, assisting to continue, and our present policy would perpetuate such a state of things. In China all revolutions had been protracted and the Tartars themselves occupied forty years, from 1644, in establishing their power in China, in which country there had been twenty-two distinct revolutions, and the subversion of twenty-two distinct dynasties. The desolation of 1644 is graphically described by the Jesuit Marten. But the Taepings were desolators *par excellence,* since it occurred to the poetical imagination of the Under Secretary for Foreign Affairs to depict their progress in these terms—"Their approach is like the sound of the grinding of millions of teeth; they come, and everything living, vegetable or animal, disappears." Well, but, after all, China remained; a busy industry still prevailed; tea and silk were produced in Taeping provinces; and his (Colonel Sykes') friend, now in London, said he had made a most admirable speculation in silk. But for the future what were we to do? We drove the Taepings from the coast, and we could not follow them inland. Surely the course we were pursuing was suicidal. For nine years the Taepings had received Europeans among them, and there has been no case of injury to European person or property during that time. All they asked was, that England should be on good terms with them. If England continued the policy which had been already adopted, we should be involved in a war with half the population of China, and the cost of that war would fall upon Great Britain; therefore, in the name of humanity and good faith, and on behalf of the English taxpayers of this country, he (Colonel Sykes) entered his protest against the policy now being pursued.

MR. LAYARD said, that this question had been discussed under two aspects. His hon. and gallant Friend (Colonel Sykes) took it up as an advocate of the Taepings, although disclaiming any intention to support them; but it appeared that his view of impartiality and non-intervention was to give all the support and sympathy they could to the Taepings as against the Imperialists. Then there was his hon. Friend the Member for Brighton (Mr. White), who brought the case before the House in a much more statesmanlike manner, who had stated in a very impartial way his views upon the subject, disvowing any leaning towards either party, and wishing to look at the question merely as one of Imperial policy. That was a very fair mode of putting the matter, one which deserved consideration, and such an answer as he was able to give as the organ of the Government. But before noticing the speech of the hon. Member for Brighton, he must say a few words in reply to the hon. and gallant Member for Aberdeen (Colonel Sykes) because it was important, before proceeding to discuss the policy of the Government, that the House should have a clear idea of what these Taepings really were; for, after all, the whole question must turn upon that. He had hoped that he had been able on a former occasion to show the House that these Taepings were of the character which had been attributed to them. They were, he conceived, nothing but a band of marauders, utterly powerless to establish any form of Government, not even aiming at establishing one, and resembling those great Tartar tribes, who in the middle ages issued from the wilds of Asia, overspread the most fertile regions, and everywhere left desolation and ruin in their track. Such was the description given of them not only by every one of Her Majesty's political and consular agents in China, but by the missionaries of all denominations, and the mercantile men who had had anything to do with them. Indeed, when he last addressed the House on the subject, he found that there were only two persons in the world who were sufficiently infatuated to support the Taepings—the one being his hon. and gallant Friend, and the other a Mr. Roberts, a missionary, who, at the time he had spoken, was supposed to be at Nankin with the Taeping Chief. Mr. Roberts, let the House bear in mind, adhered to the Taepings up to the very last moment. He had been tutor to one of the Taeping princes—to one of those incarnations of the divinity with whom he had been at Nankin. That prince was not exactly the gentleman whose biography had been written by Mr. Homberg the missionary, but he had produced a work on Christianity, and on steam and electric telegraphs; and how he carried out his Christianity would be apparent from a letter from Mr. Roberts, who had left him because he was disgusted with him for cutting off the head of a boy, one of the pupils of the missionaries, in his presence. Mr. Roberts wrote his annual report, and sent it to the *Overland China Mail;* and in order that it might not be supposed that he was influenced by that atrocious act, he stated that he had written his report several days before it occurred.

COLONEL SYKES: Allow me to say that he has admitted that he is not killed.

MR. LAYARD: He supposed the boy was what the Italians called *poco assassinato*—slightly assassinated. Mr. Roberts wrote this passage—

> "If I am happy enough to meet Teen-Wang or any of his followers in Heaven, I shall be agreeably disappointed, unless the good Lord grants them improvement in faith and practice."

["Question!"] The whole question turned upon the character of the Taepings; and if he was allowed to state what was the policy of the Government, perhaps it would be admitted that he was speaking to the question. Mr. Roberts, who knew more of the Taepings than any other man, said—

> "Their political system is about as poor as their theology. I do not believe they have any organized Government, nor do they know enough about Government to make one, in my opinion. The whole affair seems to consist in martial law, and that, too, runs very much in the line of killing men, from the highest to the lowest, by all in authority. I became perfectly disgusted by the sights of slaughter."

He added—

> "But I must now acknowledge candidly that I see no promise favourable to either commerce or the Gospel in leaving matters quietly in the hands of the rebels. I have advocated their cause until I have utterly despaired, and now gravitation turns the other way. I believe in my heart, however much I may be mistaken in judgment, that it would be for the interest of commerce and the Gospel to break their power upon the seacoast and the Yang-tze river, and never allow them to hold any place within gunshot of a navigable river."

He would invite the attention of hon. Members to the report of Mr. Harvey. His hon. and gallant Friend told them that the Government had been designedly deceived by their agents. Did the House believe that there had been a conspiracy on the part of their agents to belie the Taepings? His hon. and gallant Friend depended on the statements contained in anonymous letters. [Colonel SYKES: No.] His hon. and gallant Friend had invited the attention of the House to an account contained in an anonymous letter; and he must say that he preferred to accept the testimony of the Government agents, who affixed their names to what they stated, rather than that of the anonymous correspondents of his hon. and gallant Friend. When the Taepings entered Ningpo, Mr. Harvey was anxious to see how they would conduct themselves. He observed their conduct, and, in a despatch written three months after their entry, he observed that within that space of time they had not taken a single step to establish good government. He added that the experience of those three months had only realized the expectations of those who knew the insurgents. They had brought the place to the condition that had been anticipated—namely, one of ruin and decline. His hon. and gallant Friend said, that there was still commerce in Ningpo. Where was that Commerce? Not in the native city of Ningpo, but in a settlement presided over by the parties to the treaty. Under their protection there was commerce in that settlement, and the Chinese flocked to it in large numbers; but if the Taepings were allowed to enter the place, it would become a ruin. There was no more question of that than of the fact that he was then addressing the House. He would ask whether a single Chinaman of character joined the Taepings. There was no national feeling in their favour; they had put forward no programme of government. They had never stated that they had any grievance which they wished to redress. They were what he had before described them to be—a band of ruthless marauders intent on murder, rapine, and pillage. From the beginning to the end they had preserved that character. His hon. and gallant Friend said that the Chinese were cruel. Well, he believed they were a cruel race, and that rebellion had brutalized them. They had become more cruel. Still for the cruelties of the Chinese there were persons responsible—Her Majesty's Government had something to put their hands on; but for the cruelties committed by the Taepings there was nobody responsible. Occurrences had, however, taken place recently which betokened an improvement in the Chinese. It was reported by Mr. Bruce that some recent operations had been conducted by the Imperialist army, unaccompanied by rapine or a single act of pillage. It was also curious that wherever Europeans appeared the populations had flocked to beseech them in the most touching terms to afford them relief from the Taepings. His hon. Friend (Mr. White) had told them that, at a party given by the hon. Member for Perth, Sir Harry Parkes said that the Taepings numbered 98,000,000 of people, and that the extent of their territory was 132,000 square miles. He had the authority of Sir Harry Parkes for stating that he had not said that. What he had said was, that the Taepings had overrun three provinces containing 132,000 square miles, and having a population of 98,000,000. The state of things in China was not that of two parties struggling on a question of great principle or government. If it were, the policy of Her Majesty's Government would be clear. A comparison had been made that evening between the state of things in China and that which prevailed in America. But did such a comparison hold good for a moment? The Taepings were able to form no Government. No one could read what had been said of them by men who had had experience in China, without coming to the conclusion that they were *hostes humani generis.* The hon. Member for Brighton had quoted the opinions of Vice Admiral Hope and Mr. Bruce in a contrary sense. But the despatches to which the hon. Member referred were written a long time ago, and Vice Admiral Hope and Mr. Bruce had since that time completely changed their opinions, and were now of opinion that we must take either one side or the other. Such being the state of things, and looking upon the Taepings as pirates, what course was Her Majesty' Government to pursue? He would briefly explain what they had done, what policy they had laid down, the policy which they intended to persevere in, and in which he believed they would be supported by the mass of the people of this country. No treaty with the Taepings was possible; they did not know the value of obligations made with Governments. As long as they thought they could delude Europeans in such a manner as that they might be permitted to carry on their system of blasphemy, rapine, and murder, they were quite willing to express the best intentions; but when they found that such a policy would not do, they declined to admit any obligations. The Imperial Government represented the principle of order, as contradistinguished from the principle of disorder. The Imperial Government held the greater part of the country. The House must remember that China was almost as large as Europe. The population was about 500,000,0 00; and as the Taepings could not be considered to number more than were said to compose the Taeping army — namely, 400,000— it would at once be seen that by far the largest portion of China was under the rule of the Imperial Government. Her Majesty's Government did not intend to defend the Imperial Government against revolution. What they did intend to defend were British subjects and British interests; while they would do the best they could, by means of moral support, to enable the Imperial Government to maintain itself, and defend itself against revolution. Her Majesty's Government would give the Imperial Government distinctly to understand that they were not fighting for it, and that it was bound to maintain and defend itself; but to the Imperial Government, as representing the principle of order, they would give their sympathy, advice, and assistance. If he had been asked a year or two ago whether such a policy was possible, he might have thought it doubtful; but he wished the House to understand that a great change had taken place in China within the last few months. Until lately they had no access to head-quarters, and everything done by Europeans was misrepresented at Pekin. The Emperor never knew the truth, and a false impression prevailed, not only at Pekin, but throughout the whole country. However, that difficulty had recently been overcome owing to the admirable tact, judgment, and ability of Mr. Bruce. There was, also, at the head of affairs in China a man of great enlightenment, the Prince Kung. He had reached that position by a *coup d'état*, but there he was. It was, of course, impossible to change the habits of 500,000,000 of people in a day or in a few months; but there were manifest indications of improvement. Nevertheless, they had obtained many valuable concessions from the new Government. There was no point which was more contested with reference to the Treaty of Pekin than that of the coasting trade; but Mr. Bruce having represented the matter to Prince Kung, he had conceded both the right of engaging in the coasting trade and that of exporting breadstuffs from China—a concession of immense value and importance. The hon. Member for Brighton seemed to be under the impression that the despatches sent out to China contained peculiar postscripts, conveying different impressions to the directions in the despatches themselves. Now, nothing was more contrary to the fact. The policy of the Government had been adopted after the most mature consideration, and after being informed by their agents in China that it was the only sound policy which could be adopted They had told the Chinese Government that they could not help them by any interference in the country; but that as the English Government had treaty rights with respect to certain ports, they would defend them, and do all that was necessary to prevent them falling into the hands of the Taepings. The first step which was taken was to assist the Chinese in putting their finances in order. There was an enormous trade in China, but the customs were so badly managed that but a small portion of the duties ever reached the treasury. The Chinese Government asked the English agents to organize a system of collecting these customs, and, in his judgment, Lord Elgin had no alternative but to do as he did say —"There are English gentlemen here who can assist you; take them into your employment." They placed these English gentlemen at the head of the customs, and also engaged some Frenchmen and subjects of the United States. To give an idea of the frauds which were committed, not by respectable commercial houses in China, but by reckless and worthless persons there, and the detection and prevention of which might have given rise to some of the animosity which had been referred to, he would mention two or three cases. In one instance an invoice was received of sixty-one hogsheads of coals, which coals, upon examination, were found to be copper, an article the import of which into China was prohibited. In another case a parcel, which was invoiced as umbrellas, hosiery, and stereoscopes, was found to consist of double-barrelled guns; and to crown all, a magnificent assortment of Bibles and Prayer Books turned out to be percussion caps. Under the new system such frauds as those would be rendered impossible, and the Government had received assurances from some of the most respectable merchants in China that it was working well, that the revenue was considerably increased, and that China would under the new system be enabled to pay the debts and indemnities which she owed to us and to other countries. An hon. Friend of his found a good deal of fault with him the other night for not producing what he had not got—a list of the Englishmen in the employment of the Chinese Government. He had written to Mr. Bruce, and had asked him to obtain the list. When it was received, he presumed that no one would desire that all the Englishmen should leave the service of the Chinese, and abandon the whole control of the trade to the French and Americans. The hon. Baronet the Member for South Devon (Sir L. Palk) had wasted a good deal of eloquence upon Mr. Ward. He believed that Gentleman was concerned in some of those expeditions which obtained considerable notoriety in Southern America; but in China, so far as he was aware, he had done nothing discreditable to himself, or that warranted the expressions which the hon. Baronet had used with regard to him. On the contrary, it appeared that he had organized a very effective body of Chinese, who had fought very well, and whose organization, as forming the nucleus of an army, Mr. Bruce and Admiral Hope regarded as so important that they said that it was the first step towards the restoration of order in China. It was the want of proper organization which had led to the commission of those atrocities by the Chinese irregular troops; and the first step towards putting an end to that state of things was to organize a regular army, furnish the troops with proper artillery and weapons, and make the officers responsible for their conduct. The Chinese Government asked the English Government to allow them to purchase any arms which they might require, in order that they might organize a body of men for their defence, and to that the Government had assented. That was the second step which had been taken by the Government. The hon. and gallant Gentleman the Member for Aberdeen had referred to statements in an anonymous letter to the *Herald* that the troops under the command of Mr. Ward had committed the most horrible atrocities; and led the House to believe that British officers, if they did not actually sanction, had taken no steps to prevent their commission. He did not know who was the writer of that letter; but as he knew of his own knowledge that one half of the letter was a gross falsehood, he concluded that the other half was equally untrue. Be that as it might, this he ventured to affirm, that no British officer, no British gentleman, nay, no Englishman, whatever he might be, would have stood by and witnessed the commission of atrocities such as those which were described in the letter, without interfering to prevent them.

The third step taken by the English Government to assist the Imperial Government of China was to sanction the employment of British naval officers in Chinese waters. The Taepings, who never stopped in any place after they had plundered and ravaged it, were moving towards Chusan. If they obtained possession of that place, they would soon have the rivers swarming with pirates, and commerce would be destroyed. More than that, they were bound by treaty to assist the Chinese Government in the suppression of piracy; and, both as a matter of economy and a matter of humanity, it was better to take steps to put an end to incipient piracy, to permit a few English officers, paid by the Chinese, to command vessels bought by the Chinese, rather than run the risk of having, at a future period, to send out a large fleet to protect trade and fulfil treaty engagements. That was not the first time that English officers had been permitted to take service under foreign Powers. The same thing had been done in Spain and elsewhere. A very distinguished officer, Captain Sherard Osborn, he understood, was going out to China. No one could for a moment suppose that Captain Osborn was likely to be guilty of any cruelty. On the contrary, he would be sure to act as a British seaman and gentleman usually did act under any circumstances. His mission would be to put down piracy, and no doubt he would accomplish it. The wisest thing the Chinese Government could do would be to engage the services of such an officer, and place a squadron at his command. The Chinese Government had entered most seriously into that policy. They had liberally given money, and had accepted our advice. For the first time in Chinese history the Government of the Emperor were acting cordially with foreigners, and were practically recognising their position in the Empire. It had been said that the rebels did not injure commerce in China, and that the policy which Her Majesty's Government had adopted was contrary to the interests of British merchants. It was all very well to quoted the allegations of anonymous correspondents to that effect, but he would cite the testimony of the Committee of the British Chamber of Commerce at Shanghai, and of its chairman, Mr. Webb. In February, 1862, Mr. Webb wrote that the Committee desired to record its opinion that the depression of trade at Shanghai at a period when it was usually very brisk, was directly attributable to the presence of the Taepings in that province. [Colonel SYKES: It was from Mr. Bruce's letters that I quoted.] The testimony of Mr. Webb and the Chamber of Commerce was the most reliable that could be obtained on such a subject. It was said that the tea trade had not been interfered with. The Chamber of Commerce of Shanghai, on the other hand, asserted that no tea had been brought to the port since the early part of 1860, when the rebels captured Soochow, and the line of the Imperial canal up to Karhing, excepting what was sent from Ningpo, and what since last April had come down the Yang-tze-Kiang river. It was important to recollect that the tea which was brought down by the Yang-tze-Kiang did not pass through the provinces occupied by the rebels. Hankow, which was situated on that river, lately fell into the hands of the rebels, and the population fled. The Taepings, after a little while, finding there was nothing more to despoil, withdrew from the town, and the inhabitants returned. The Consul wrote that the increase of trade at Hankow since it had again become an Imperial possession was almost incredible. In the quarter ending the 30th of June the imports were 870,000 taels, and the exports 212,000 taels. In the half-year, ending September 30th the imports were 1,467,000 taels, and the exports 1,557,000 taels. In the half-year ending October 31st the imports were 2,407,000, and the exports 2,547,871 taels. Those results were entirely due to the departure of the Taepins. It was alleged, moreover, that the exportation of silk had increased. The Committee of the Chamber of Commerce of Shanghai reported as follows:—

"The town of Nan-tsin, the centre of the silk trade, has been burnt, and was occupied three several times by the rebels, and no doubt a considerable quantity of seed has been lost, although it is impossible to obtain reliable information as to the amount. During the past season silk has been passed through to Shanghai to some extent, the short distance between this port and the silk country greatly favouring its transit. Many boats, however, have been robbed of it. In other cases large sums have been paid as ransom, and the insecurity of life and property in the country has, with these other causes, added much to its cost, and the export has thus fallen off some 14,000 bales, as compared with the same period of the preceding season."

COLONEL SYKES: That is all very well, but it was Mr. Bruce I quoted.

MR. SPEAKER: The hon. and gallant Member does not appear to be aware of one of the most ordinary rules of debate. He has no right to interrupt a speaker who is in possession of the House. When the hon. Gentleman has concluded, the hon. and Gallant Member will be at liberty to make an explanation.

MR. LAYARD said, he would further read the following letter, dated the 5th of April, 1862, which had been received from the agent of the well-known firm of Lindsay and Co., of Shanghai:—

"It will be impossible to draw back now. As usual, there are always some people who carp at this policy, and some who object only to the way in which it is done; arguing that we are exciting the animosity of the rebels, and that they will revenge themselves on the mulberry-trees, greatly to the prejudice of our trade. This, of course, is the special point of view from which people here are apt to look at this matter, but men who have State interests to care for must take a much wider grasp of present emergencies, and cut out their line of policy not for the exclusive benefit of one class, or even one generation of merchants, but for the ultimate benefit of all. This conflict has been dragging on for twelve years, with no result but the devastation of the country and the ruin of trade. Our interests demand that one of the parties be destroyed, and as the Imperialists have at least the traditions of a Government, there is more hope of their reviving than of any of the insurgent parties coming to anything. And now the new Government of Pekin has turned over a new leaf, and is no longer willing to be deceived by lying mandarins. Large bodies of 'braves' are coming down the Yang-tze in steamers. These will garrison the places we may recapture from the rebels; and if we only keep on the move, with the 'braves' in our trail, the rebellion will be put down much sooner than most people seem to think. As to the animosity of the rebels, it is a mere bugbear; they have never had any friendly feeling to us, and since they discovered we did not care to espouse their cause, they have not taken the trouble to profess friendship to us."

It was a mistake to suppose that they had committed an act of war against the Taepings. Their favourite mode of attack was to approach a town gradually, devastating the country as they advanced. Then they smuggled some of their agents into the town; fires broke out mysteriously, quarters were burnt down, and panics were excited. When the people were in a fever of alarm, the assault was made, and the place fell into the hands of the rebels. That was the plan they adopted at Shanghai, and it was to defeat it that General Mitchell, General Staveley, and Admiral Hope, with the concurrence of the French military authorities, determined that the rebels must be kept beyond a radius of thirty miles, in order to insure the safety of the place. That radius was proposed by Admiral Hope to the Taeping chief at Nankin, and accepted by him. With regard to the Indian troops sent to Shanghae, Her Majesty's Government had received no information, but it was probable that the troops withdrawn from Tien-tsin might have been sent there. He believed that the policy pursued by the Government was the one best calculated to prevent war. They had no sympathy with the Imperial Government, but they sympathized with the great mass of the Chinese population, who were the most industrious people on the face of the earth. Let the House consider for a moment what would happen were they to allow the Taepings to take possession of the treaty ports. The only port they had to defend was Shanghai, for it was a mistake to suppose that they would have to defend the sixteen treaty ports at once, as the Taepings followed no regular system of warfare, and could not assail more than one place at a time. If the Taepings got possession of any of the treaty ports, would they respect our treaties? Not at all. England had no treaties with them, and, besides, experience proved that they did not appreciate the nature of bonds and obligations. The result would be, that unless they were prepared to give up their whole policy and all which they had obtained by great sacrifices of blood and treasure, they would be compelled to make war on the Taepings and the Chinese Government as well. The only chance of preserving peace and avoiding falling into war was to maintain the treaty ports, to defend them because they had an interest in them, and to give all the support which they could to the Imperial Government in putting down a rebellion which was spreading devastation and ruin throughout that vast empire. He believed that was the true policy to pursue, and the only policy consistent with British interests and the great interests of humanity.

Colonel SYKES said, the hon. Gentleman accused him of making a statement not founded in fact, whereas he quoted from Mr. Bruce's despatch.

Mr. COBDEN: If I had felt some apprehension with regard to our relations with China before my hon. Friend the Under Secretary spoke, my apprehensions must be very much increased by what he has stated. He told the House that he would inform us what was the past and what was the present policy of Her Majesty's Ministers. I confess he has left me in somewhat of a haze as to that policy; but, if I understand him correctly, I think he has promised us engagements which, as has been truly said by my hon. Friend the Member for Brighton, we are likely to hear of for some time to come, and I think I may add, very likely our children after us. There is one fallacy running through the whole of the hon. Gentleman the Under Secretary's speech. It is when he speaks of the Chinese Government. Now, there is no Government in China. Any hon. Gentleman who has read these blue-books with attention must have arrived at the conclusion that literally there is no Government exercising supreme authority in the Chinese Empire. What does the hon. Gentleman tell us? The Taepings, he says, are not rebels in the ordinary sense of the word. It is not a civil war which is raging in China. It is a band of marauders to which not one man of respectability or fortune has given in his adhesion, and that band of marauders spreads over the land, captures great cities containing 1,000,000 inhabitants, and the Chinese Government at Pekin is absolutely powerless to afford the slightest protection to the people. That is the position of China at this time. How has it been brought about? Although it is somewhat historical, and this House does not like historical arguments of remote origin, yet it is necessary to bear in mind the incidents of the last few years, and to see how those incidents bear on present events. It is necessary for me to call to mind what is stated on the highest authority in the blue-books lately presented to Parliament, that the destruction of the Chinese Government has been the consequence of the last two wars in which England, or England united with France, have been engaged. If there is any subject upon which all writers familiar with the history of China for the last few years are agreed, it is that those wars have precipitated the fall of the Imperial Government. That strange people seem to have been governed by a kind of pasteboard and painted authority. Certain high-sounding phrases were uttered from some mythical authority at Pekin, which were obeyed throughout the land by a somewhat mechanical and materialist population, simply because they found they were living in a state of order, and therefore with a sort of practical instinct they did not choose to inquire more about the power of the Government under which they were living in prosperity and happiness. But one of the fundamental principles upon which the Imperial Government founded its authority was the belief implanted in an isolated and ignorant people—ignorant, I mean, as to the outside world—that no authority was superior to that which ruled at Pekin. We invaded that country. We showed that there was another power greater than that of Pekin, and we destroyed the prestige by which the Chinese Government was maintained. The consequence has been the gradual weakening of the central authority until it has come to this state of things, that literally there is no Government in China. I think it is right that the people of this country, and the House which represents the people, should know these facts, and should not forget them, because I am one who believes that the affairs of this world are ruled by a just Providence, and, as far as the affairs of nations are concerned, I believe they are governed upon a principle of retributive justice. I believe, that if you carry wrong and injury to the most distant part of the globe, the wrong and injury will re-act upon yourselves. When I heard the hon. Gentleman describe how we were undertaking the protection and defence of sixteen treaty ports, with a radius of thirty miles round each; when I imagined what the operations of active and energetic naval and military commanders would be, I thought I foresaw the retribution for our conduct of the last few years.

I am so anxious that it should be known under what circumstances we have engaged in these wars with China, that I wish to correct a misstatement of the noble Lord, with reference to the origin of the last war. With the origin of the last war but one we are all acquainted. It was the lorcha affair of 1856, upon which no sensible or honest Englishman ought to reflect without a blush. But that war was renewed in 1859, and I wish to correct an erroneous statement made by the noble Viscount when I was absent from the House, which alone excuses me for referring to what took place in a former Session. On the 14th of February, 1861, the noble Viscount, in moving a vote of thanks to the army for their conduct during the last Chinese war, said—

> "It is well known that the operations in China arose from the refusal of the Chinese Government to ratify the treaty of Tien-tsin which had been concluded between the two countries. It became necessary to obtain the ratification of that treaty. The French and English Governments both concurred in that necessity, and each sent a force to obtain it; but both Governments resorted, in the first place, to persuasion and diplomacy to insure their object. Both Governments sent their representatives to China before they had recourse to extreme measures, to endeavour to persuade the Chinese Government to fulfil the obligations which it had contracted; and it was not till every effort was made, and it was evident that nothing but force would obtain the ratification of those engagements, that force was resorted to. [3 *Hansard*, clxi., 401.]

I beg to recall to the noble Viscount's memory that the last war did not originate because the Chinese Government refused to ratify the treaty entered into with the Earl of Elgin. The treaty was ratified. The war was renewed because Mr. Bruce insisted on going one way to Pekin, and the Chinese Government insisted upon his going another. And in the history of diplomacy, from the beginning of the world, I should think there was not another instance of a war being provoked, not because a treaty was not ratified, but because the Plenipotentiary insisted upon going in a particular direction to the capital of the friendly State with which the treaty was made. The noble Lord fell into another error. It is well known that the American Plenipotentiary went to Pekin by land, and he went in a carriage of the country which the noble Lord, seeking to justify his own conduct, characterized as a box. It was said that Mr. Ward as shut up in a box so that he could not see the country through which he travelled. I have seen Mr. Ward within the last few weeks, and, referring to the subject, he said a gallant Officer in this House had a letter from him, complaining of the gross misrepresentation of the noble Lord. Mr. Ward said that he was taken in the same carriage in which a Prime Minister would have travelled if he wished to be moved through the country; and so far from being shut up, saddle horses accompanied the carriage, and he was invited to mount whenever he liked to take that mode of varying the means of transit. I have to complain of the habitual inexactness of the noble Viscount's statements. I do not accuse him of wilful misrepresentation, but what I charge him with is a want of carefulness in informing himself before making these statements. Such rashness and recklessness would be very bad in a private Member, but it is inexcusable when practised by the noble Lord in the high and responsible position which he occupies. After all, this is of the past, and the only practical question is, "What shall be our policy for the future?" That question can only be solved by asking another. "Why are we in China at all? Why do we go to China? What are we in China for?" Not to assist the Emperor to put down rebels, or to collect the duties of foreign custom-houses. We go to China to obtain yearly 80,000,000 lb. or 90,000,000lb. of tea and 60,000 or 80,000 bales of silk. What is the best way of obtaining those commodities at the least possible cost? In my opinion, the most proper mode of obtaining them is to leave the merchants, as much as possible to carry on their own operations, and to have as little contact as possible between the two Governments. That is the wise policy to pursue. There has been a fallacy running through all our operations in China, and it is this—we have been under the impression that it is necessary, in order to transact business in China, that we should penetrate—"open up," as it is vulgarly called—China. There never was a greater fallacy than that idea. The Chinese are the most commercial people in the world. You have only to let a Chinaman see a chance of profit, and he will apply himself to the best means of obtaining it better than any man in the world. I have heard from people who have lived long in China, and carried on business there, that the

Chinese are so skilful, not only at their own interior business, but at foreign trade also, that they have spread themselves over the whole East, and that at such places as Singapore and Manilla they have superseded all rivals. I have lately seen a gentleman from San Francisco, who told me that nearly the whole of the trade between California and China was in the hands of a few Chinamen, having their houses of business at San Francisco. This gentleman asked, "Can it be necessary that you Englishmen, not speaking a word of Chinese, should go into the interior to carry on business with the Chinamen, when they are so well able to carry on business themselves, not only in China, but everywhere else?" He believed, that if a Chinaman were to come and establish himself in London as a tea merchant, he would beat all rivals here. How do you carry on business with Russia? Englishmen do not go into the interior of Russia to buy and sell with the people. Your merchant goes to Riga or St. Petersburg, or to Odessa, and there he has transactions with the manufacturers or agriculturists of the interior, but he never thinks of penetrating into the interior himself. Apply the same principle to China. Abandon the idea that you will increase trade by penetrating into the interior; content yourselves with stations on the coast, and as few of them as possible; and, whether you are at one extremity of the empire or the other, be assured that the instincts of gain and the cleverness of that ingenious people will find you out, will bring their commodities, and take yours if it suits them. There is another fallacy overriding all our ideas in regard to China. We look at that people with something like awe, on account of their vast numbers and the immense territory which they occupy. We think that there must necessarily be a large commerce with a people so numerous. I remember when we first commenced this system of warfare with China in 1840, and when we first made peace with them in 1842, that some of my Manchester friends said, "If every Chinaman only bought a nightcap, it would keep all our mills going." That is the sort of idea which has been entertained on the subject, and which has led us into these expensive Government operations. But really your trade in China, in spite of all your efforts—and, I will say, in spite of your crimes—is much more insignificant then many hon. Gentlemen are aware of. Take the five years from the year of the Lorcha War, 1856 to 1861, and you will see by the Board of Trade returns that the exports of British manufacturers and products to China and Hong-Kong amount to an average of £3,700,000—half the trade with Holland. That is the result of these two wars, and the result, too, of an enormous Government expenditure; because, when you are carrying on operations on that coast, when the Government is incurring a vast expenditure, sometimes extorted from the Chinese, but a great deal more paid by the taxpayers of this country, there are naturally much larger exportations of goods than would take place under ordinary circumstances. But with all this your trade has only amounted to an average of £3,700,000 per annum. During the last two years the exports have considerably increased. They have amounted to an average of £5,000,000 per annum; but that has arisen from the most exaggerated anticipations on the part of our merchants of the advantages which would arise from the "opening up," as it is called, of China, by getting access to the great river and other parts of the country. I say, without fear of correction, in the presence of hon. Gentlemen who are interested in that trade, that this increase has arisen from a great deal of most unprofitable speculation. I am told that at this moment Manchester goods are selling in China for 20 per cent less than they cost in Manchester. If you look at the exports to China during the last twenty years, you will see that they are fluctuating. There is a period during which there is a war, or the completion of a treaty from which you anticipate a great addition to your commerce; then there is a sudden rise in the amount of your exports. It is followed by disappointment, which causes a collapse, and then the amounts fall. The commerce of China has not been elastic in the same sense as the trade with other countries. Our trade with other countries has doubled; but there is not that same tendency to grow in our trade with China. The reason is that the Chinese are a most industrious people; vast masses of them are poor; they pass every moment of their time in a most industrious manner, and they manage to produce for themselves, with surpassing industry, patience, and perseverance, at such a price that they do not afford that opening for your manufactures which you expected; and, besides that, they have not anything to give you in return. You want some 90,000,000lb. of tea, and 60,000 or 80,000 bales of silk, and that is all you get from them. Whether we look to Japan or to China, there is a tendency to deceive ourselves; our imaginations are called in instead of practical, business-like calculations, and we are apt to exaggerate the value of these distant markets. If we take this moderate view of what there is to be done in China in the way of business, I would ask—Is it worth the risk of entering into the gigantic system of intermeddling which the hon. Gentleman has just disclosed? He has told us of three different plans; one is to take possession of the Chinese custom-houses, and to collect their revenues; then we are to defend the treaty ports, and next to find the Chinese officers to drill their troops. I think, too, I understood the hon. Gentleman to say that we were to give them some advice with regard to their finances. When I heard that, I was somewhat amazed. We have sent a commission to look into the finances of Turkey. We have been interfering, too, lately with the finances of Morocco; and now we are undertaking to advise on the finances of Pekin. If this sort of meddling goes on much longer, I am afraid we shall want some shrewd Dutchman or Swiss to come over and look after our own financial affairs. Do not let the noble Viscount, who probably will favour us with a few words, entertain us as he did last night; do not let him say, "Here he is again, wanting, as usual, to abandon Englishmen in China, and give them up to all those cruel Taepings." If there is anybody in this House who may fairly lay claim at all events to the character of not being indifferent to the commerce of this country, or not caring insufficiently for merchants, it is the humble individual now addressing the House. When you have established your English merchants anywhere, you are bound to protect them, their lives, and their property, to the utmost extent of your power; but it would behove a wise nation not to seek to establish such merchants in positions where they are pretty sure to get involved in collisions with the people, and where their being established is not likely to lead to any national advantage. I say national advantage, because I can imagine a policy to be observed by a country in which individuals might gain in some distant region, but at a vast sacrifice to the nation, and that is not a policy which a wise nation should pursue. But, coming to the practical remedy for this state of things, if we have not gone too far for a remedy—and I am not sure that the noble Viscount has not dragged us so near to the edge of the precipice that even his famous dexterity will not get us out of the vortex—we should do that which we ought to have done from the first—to have as little contact with the people as possible, to leave business as much as possible to the merchants, and to have no political contact with the Government at all. You have there sixteen treaty ports. It is a fact acknowledged by practical men, merchants who know the subject well, that you may detach yourselves from a great number of those ports with no disadvantage to commerce, and you would, at the same time, rid yourselves of a great risk of collision with the people. I would therefore withdraw from as many of those ports as I found were not useful, advantageous, or necessary, and I would concentrate the trade of the empire in as few places as possible. I have been speaking to-night with a gentleman in this House, who is now under this roof, who has been accustomed to supply probably one-third of the goods which have gone to China from this country for several years past. His opinion is, that if at first you had taken two or three places on the coast of China—I do not mean seized them—but by agreement with the Chinese Government; if, for instance, you had taken a free port at Shanghai, another at Chusan, say, or some other point on the coast midway, and another in the neighbourhood of Canton; if you had confined yourselves to these three ports, had separated yourselves from the vast empire, and had not undertaken to collect their revenue, you would have done as much trade as you have done, you would have sold as many goods as you have sold, and at hardly more expense than you are at now in carrying on business at Singapore. That is the advice of a merchant of great experience in the China trade; but if I were to take the opinion of any merchant or manufacturer, I should not select in preference those who are engaged in business in China. Most of them have not lived more than seven years in that country, and some of them are young merchants who have rash and speculative views. Many of the richest merchants in China are suspected, not without reason, of carrying on a system of trade of which Englishmen cannot be proud, and of the duration of which we should not be confident. Their influence has, I fear, often led us to embark in many of these expeditions, for where we have produced confusion there they have had a chance of carrying on a clandestine trade. This, however, is not a question affecting merchants and manufacturers only, but affecting this whole nation, and also this House. What I state in conclusion is, that the announcement just made by the hon. Member will cause every one to look with apprehension to the future for himself and for his children. Here are between 400,000,000 and 500,000,000 persons in the empire of China who are now without a Government. You are now taking the first step to put yourselves in the position of that Government, and every step you take you will find it more difficult to withdraw from, while every step will involve you in a fresh responsibility. The more you intermeddle, the less will the Imperial Government have the power of controlling the rebels; and recollect that all your interference will prevent the only remedy for anarchy and confusion in any State. Leave that empire to its own resources, and the suffering which must arise out of the present state of anarchy will sufficiently prove to the people of China the necessity of some new organization, and they will be led by the instinct of their nature to find some leader who will give them peace and order, and establish their Government on some durable basis.

VISCOUNT PALMERSTON: Sir, there are some things in the speech of the hon. Member who has just sat down with which I entirely agree; there are many things in which I unfortunately cannot concur. In the beginning of his speech he reverted to a discussion which took place on a former occasion on the subject of our differences with the Chinese Government, and the war which took place thereon. Well, the hon. Member has a right to retain his opinion as to the justice and policy of those matters, and he will permit me to retain mine, which differs diametrically from his. And it would be wasting the time of this House if, in the year 1862, I were to enter into a discussion upon the merits of a war that took place several years before. However, this I say, that if it be true, as the hon. Gentleman says, that we did an injury to the Government f China—if it be true, as he contends, that the war which we then undertook, in vindication, as I think, of our just rights, did undermine the authority of the Imperial Government, and was the cause of

the success of the Taepings, then, on the principle that there is a just Providence, which inflicts retribution upon those who commit wrong and refuse redress, we are bound now to do everything in our power to make amends to that Imperial Government for the injury they then sustained, to place their finances in a better condition, and to reinstate them in that position which, according to the hon. Gentleman, it was our fault and our crime to have shaken. Therefore, I think one of the hon. Gentleman's arguments refutes the other. The hon. Gentleman refers to a statement I made some two years ago, as to the way in which Mr. Ward, the then American Minister, was carried from Taku to Pekin. The hon. Gentleman says Mr. Ward went in a cart which I described as a box. He says that Mr. Ward denies that assertion of mine, and of course I accept his denial. What I stated was on what I believed to be good information at the time—that which I heard and read. I believe there are three modes of travelling in China, according to the rank of the individual. The most distinguished is that of the sedan chair, which is used by great people exclusively. The next is on horseback, which is used for the greater part of distinguished persons, and by military men. The third mode is by that very uncomfortable conveyance which I have been informed carried Mr. Ward to Pekin—a conveyance in which those officers of the British mission who were captured in the last war were carried, and which they described as inflicting the most horrible torture they had ever endured. The hon. Gentleman says Mr. Ward now and then thought it pleasanter to ride on horseback than to remain in his vehicle, and it was therefore possible that it was not quite so commodious as the hon. Gentleman imagines. The hon Member says that the last war was not undertaken in any degree on account of the refusal of the Chinese Government to ratify the Earl of Elgin's treaty. He asserts that the treaty was ratified. Undoubtedly it was; but not at first. It was completed, but only after they were compelled to ratify it. The war was not undertaken solely because Mr. Bruce was not allowed to go to Pekin; but because the Emperor refused to ratify certain articles of that treaty, which he said must be changed before they could be carried out. Therefore in that respect the information of the hon. Member has been erroneous. [Mr. Cobden: No.] I think the hon. Member will find it so if he looks back. [Mr. Cobden: I have looked back.] As to our relations with China, I quite agree with the hon. Member as to the fundamental principle on which our relations with that Court should be conducted. The hon. Member says we go there to trade; we do not go for the purpose of conquest. Our merchants go there, not to set aside the Government, but they go on the faith of treaties. They go to trade, and you are bound to protect them in the places to which they go. That duty applies to China as well as to other parts of the world, and therefore the steps taken to protect our merchants in China are just as necessary and as much a part of the duty of the Government as similar steps taken with respect to our merchants in any other part of the world. The hon. Member says the transactions of our merchants ought not to be merely for their personal benefit, but for the public interest. Why, any transactions of commerce that are beneficial to the merchants who conduct them must also be beneficial to the community from which they spring. The hon. Member also says that it is a great mistake for our merchants to ask for access into the interior, and that they ought to be content to station themselves on the ports on the sea-coast, where the natives might come to trade with them; and that it is not necessary to do anything more than hold out their hands to receive the goods which the natives would bring to them. Well, that does not happen to be the opinion of the English merchants in China. They attach very great importance to having access to the centres of production, and to having the privilege of going into the interior, by the Yang-tze-Kiang. They think they transact their business better by going to the great and flourishing cities on the banks of that river, instead of waiting at Shanghai, Ningpo, and the former treaty ports. Is that a peculiar opinion and prejudice? Why, it is the general practice of merchants of all nations. The hon. Member is well acquainted with the manner in which commerce is conducted in Manchester. Well, are there not a great number of Greek merchants in Manchester, carrying on commerce between England and Greece, and actually taking that commerce out of the hands of British houses, because they conduct it in a more advantageous manner than did the former British houses doing business in the Levant. At least, I am so informed. I think there is a manifest advantage in our merchants gaining access to the interior, rather than remaining on the coast.

The hon. Member has said it is a remarkable circumstance, that though the population of China is so large, our commerce with that country has not increased with the rapidity that might have been expected from the beginning. While I congratulated the House upon the treaties of commerce, beginning with the original treaty with China, I certainly warned both the House and the country not to be too sanguine as to the realization of any great and early increase of commerce founded on that trade, because we know that commercial intercourse takes some time to establish itself. We know there were internal custom-houses in China which opposed obstacles to commerce, and the tendency of which was to confine the delivery of produce to a narrow zone of the sea coast. That system is, however, now broken by the treaty which permits the English merchant in China to go to the seats of commerce in the interior. A great deal of the difficulty under which we laboured in China was caused by the Government that existed up to the death of the late Emperor. He was surrounded by men who were adverse to intercourse with foreigners, and they exerted their authority to prevent our having any real useful intercourse with the natives. It was not the population of Canton that did not wish for intercourse with foreigners, because, as we have since found when acting in conjunction with our allies, the French, that intercourse was established on the most friendly footing possible. It was the Mandarin authorities acting under the direction of the central Government that opposed themselves to that intercourse. But that state of things, happily, is at an end. The policy of China now is directed by Prince Kung, a most enlightened man, in the vigour of youth, anxious to learn, and opposed to the narrow-minded prejudices which swayed those who, in the last reign, directed the destinies of the country. But Prince Kung, from the intercourse which he has had with Mr. Bruce, and other enlightened men with whom he has come in contact, is quite aware that communication with foreigners will lay the foundation for that improvement of China which would so much delight him to witness, and for the benefit of its inhabitants. But that cannot be done without foreigners have access to the capital. The hon. Gentleman underrates the value of that access. I can assure him that it would be the foundation of a great improvement in our commercial intercourse with China. Then, again, he says we ought not to interfere in aiding this enlightened Prince in putting the finances of the country in better order. He finds fault with us for having given facilities to the Turkish Government to improve their finances, and for having given facilities to the Morocco Government to improve theirs, and in the liberality of his heart he offers a Dutch financier to assist my right hon. Friend in putting the finances of this country in a better condition. I think we have nothing to learn from Holland in that respect. I think we have nothing to justify in the aid which we are willing to give Prince Kung, because the act is a praiseworthy one. I think the hon. Gentleman himself would be one of the first to admit that no country can be prosperous if the state of its finances be not healthy and sound. Well, Sir, I say that it was quite proper and very useful that we should assist the Chinese Government in the honest disposition of their customs duties. It is well known that the greatest abuses and corruption prevailed in regard to those customs duties. It is well known that it was a very common thing for custom-house officers to connive at the doings of foreign merchants, to enter into a bargain with them, to go shares with them; and the merchants and the officers used to divide between them what ought to have been paid into the Imperial treasury, which received only a very small portion of the customs to which it was entitled. Well, since the arrangement between the Chinese and ourselves has been made, the customs have been honestly received, and the Imperial Government has derived the benefit. But it is not surprising that those persons in the ports who have lost the profits which they made before out of their frauds upon the Government should write anonymous letters to newspapers, and anonymous letters to Members of Parliament, and endeavour to get up a cry against the new system, by which they are sufferers, but by which the Chinese Government are likely to benefit. I say, therefore, that we were right in doing what we did. But the hon. Member complains of what he calls a plan of general interference on our part, which, he says, threatens a great and gigantic war. What we are doing to produce war with China I am at a loss to know. If we were doing that which was hostile to the Government, or which was likely to create diplomatic differences between us and the Imperial Government, I could understand his complaint. But how we are likely to bring on a war by assisting the Government, at its own request, to establish its authority and improve its revenue, the hon. Member forgot to tell us before he sat down. Well, then, the hon. Gentleman spoke of the commercial benefit which we were likely to derive from intercourse with China as inconsiderable. But nobody can deny, though the hon. Gentleman rather underrates the matter, that our intercourse with a great empire, which contains nearly 300,000,000 inhabitants, must, in the long run, be advantageous to this country. He says the goods sent to China have not paid for the cost of production and transport. But is that the case only with China? I think I have heard that not long ago some of our Manchester manufacturers found it worth while to send to India to buy up goods which they had sent out there, and this they did for the purpose of reselling them again at a profit after paying all the expenses of bringing them home. If our goods did not find a ready market in China, it was owing to the circumstance that there was a great glut in the Chinese cotton market. At one time a foreign market is understocked, and the profit is great; at another time it is overstocked, and then there may be a loss. But that is not a peculiarity of our intercourse with China; it is the rough and the smooth which merchants must expect to meet with in their commercial transactions with foreign countries, and it occurs at home as well as abroad. Well, then, if it is likely that our commerce with China will become of great advantage to this country, it is quite plain that it cannot become so while China is in a state of disorder and confusion in consequence of the atrocities of the Taepings. My hon. Friend the Under Secretary has so fully described the character of the Taepings and their proceedings, that I shall not go over the ground which he has so well trodden. He has shown to demonstration that, so far from its being possible to enter into any useful and stable relations with them, they are a rope of sand, a band of marauders, incapable of establishing any Government, and persons with whom it is quite impossible from the nature of things that any permanent and useful relations should be formed. That is not the case with the Imperial Government; and therefore, if by the means which my hon. Friend has explained we are able to give that Government sufficient power and vigour to enable it by its own energies and authority to re-establish its supremacy and to put down a rebellion which carries devastation wherever it goes, we are doing that which is not only advantageous to the interests of China, but to the interests of England herself. But my hon. Friend the Member for Brighton and my hon. and gallant Friend behind me (Colonel Sykes) say, "Why not act towards the Chinese Government and the Taepings as you act with regard to the Federals and Confederates of America? I wish to know which is it, the Confederates or the Federals, which should be likened to the Taepings? I think, if Mr. Ward took amiss what I said of his journey to Pekin, Mr. Lincoln or Mr. Jefferson Davis would not feel obliged to the hon. Member who should compare those who acknowledged his authority with the Taepings. Well, then, I say, the course which Her Majesty's Government have taken is one calculated beyond all others to give protection to our merchants in the places where they are established, is calculated to assist the Chinese Government in restoring law and order, and therefore is eminently conducive to the promotion of our commercial interests in China. The hon. Gentleman says, "You are attempting to defend not only the town of Shanghai, but a radius of thirty miles around it." At the same time, it was admitted that the range of country which the Taepings occupy, which is very nearly all that they have passed over, is something like 1,000 miles. Well, if the Taepings occupy a range of 1,000 miles in diameter, they have no reason to complain of being excluded from an area of thirty miles round Shanghai. It is easy to say that it would be sufficient for every purpose to prevent them entering the town. But if they surrounded the town and prevented supplies entering it, you would not do the inhabitants much good by forbidding the enemy to enter it. It is quite plain that you must keep for the inhabitants a district around the town sufficient to supply them with what they want. That is all we are doing. We say to the Taepings, "We don't meddle with you, if you don't meddle with us. Go anywhere throughout the thousand miles which you occupy, whether the country be populous and flourishing, as some say, or whether it be deserted and desolate, as is maintained by others; but do not come and disturb us in those cities of commerce which by treaty we are entitled to possess." That is the ground which the Government have taken up, and which I maintain we are justified in assuming. Therefore, I should hope that the House will not adopt the Motion of the hon. Gentleman, because it implies a censure upon a course of policy which I think not only undeserving of censure, but the only course which the Government could with propriety have pursued. I hope, then, that hon. Members having shown that they can sympathize with enemies, even with Taepings; that there are no crimes so great which they cannot pardon, no miscreants so detestable but that some feelings of humanity in their favour may be excited in the breasts of somebody; that there is no man so bad that some good quality cannot be given him, and that no man may commit such crimes but that somebody may take compassion on him—that being so, and my hon. Friends having shown that they can sympathize even with the lowest and basest of mankind, and having stated their views fully to the House, I hope they will be content with that, and will leave the Government to do what they are doing to improve the position of the British merchant.

MR. WHITESIDE: Sir, the noble Viscount has spoken on this question tonight with even more than his usual hilarity and vivacity, and I remember that during the Crimean war he never lost his spirits, or suffered the cheerfulness of his temper to be affected by the disasters which then overtook our soldiers. The noble Viscount says that he differs directly from the hon. Gentleman as to the policy of the first China war. Yes, and he differs also from the Chancellor of the Exchequer, from Earl Russell, and from the most gifted men in the present Ministry. Tonight the noble Viscount had to vindicate a policy, and how has he done so? It seems that he has not repented of the past, but he forgot that every word of his present vindication was a censure of the past. What are his remedies for the present condition of affairs in China? He says that we have broken the authority of the empire, have emptied its exchequer, and now must interfere to replenish its exchequer, and restore its finances. And how does he hope to effect that benevolent purpose? He says the present Emperor of China is willing to learn, and the present Prime Minister of England is willing to teach. Well, if the finances of China are in confusion, why should not the noble Viscount fulfil his benevolent purpose by lending that empire a chancellor of the exchequer to place the Celestial finances in as healthy and as flourishing a position as our own? The noble Viscount indicates that his policy is the restoration by English Government of law and order in China. He first makes war unjustly on China to maintain the honour of the English flag when no flag was insulted; and now, with a theology not even equal to his politics, when fairly reminded that an unjust war sometimes brings retribution with it, he says in effect, " We will make our peace with Providence by entering into this civil war in succession to our original war in China." Now, I warn him that this interference for the settlement of affairs in China, and the restoration of law and order there, will be an Herculean task. But the upshot of the noble Viscount's speech is that everything is right. He sometimes sneers at the Pope, and I do not mean to say that the Pope is infallible. But who ever heard the noble Viscount admit that he ever made the least mistake? So he is now quite satisfied with both the first and the second wars in China, in which I suppose he has the assent of the right hon. Gentlemen who sit beside him; and he looks forward with joy to the prospect still before us. With all deference, however, to the noble Viscount, he has not answered the the temperate argument of the hon. Member for Rochdale. " If," he says, " we did make war in China unjustly, we will now interfere there in order to remedy the mischief which that war created." That is a policy pregnant with danger, and one which, I venture to think, will never meet with the approbation of the House.

Mr. WHITE in reply said, he feared that, in establishing an embassy at Pekin, along with the French and Russian embassies, the noble Lord had made the Chinese capital another Constantinople, with all its petty diplomatic intrigues and jealousies. Neither the noble Lord nor the hon. Under Secretary had touched the real question, which was, who should pay for the intervention now determined on. He had no sympathy with the Taepings, but he had an earnest sympathy with the taxpayers of this country, who would, no doubt, be called upon to defray the cost of the gigantic scheme of interference which had been portrayed that night. English officers were engaged in teaching the Chinese how to form a regular army and to use artillery, and the first endeavour of the new force, animated by recollections of the past, would probably be to expel their teachers from the country. The Emperor of China ruled over 360,000,000 or 400,000,000 people—a homogeneous people, because the Tartar element was absorbed—speaking one language and inspired by great love of country. If such a people learnt the improved military arts of Europe, what a part might they not play in the destinies of the world. The policy of interference which the Government were pursuing in the affairs of China was a perilous one, and no long time would elapse before it would be deeply regretted by the people of this country.

Mr. WALPOLE: Sir, I cannot vote for a Motion which gives directions to the Government how they are to act in the future with regard to circumstances with which we are so imperfectly acquainted. I shall therefore vote against the Motion; but before giving that vote I cannot help making some remarks upon the policy announced to-night by the hon. Under Secretary, and confirmed by the noble Viscount. According to that policy, we are actually to take a part, to a great extent, in the civil war which is going on in China; we are endeavour to restore law and order in that great country; we are to give it our sympathy, our advice, our assistance — our sympathy with the views of the Emperor, our advice upon the state of the Chinese finances, our aid in collecting the revenue for the Imperial Government—and we are also to help the Imperial forces at the sixteen treaty ports where now we are at liberty to trade. If that be so, you are involving yourselves—I will not say in war, for war against the Government of China it would not be—but in hostilities of the worst description, for you will be absolutely liable to take part in the civil war now raging in China. The noble Viscount says, and says truly, that until the finances of a country are put into a healthy state, no Government can carry on its intercourse with other countries, because the very dilapidated state of these finances prevents trade and commerce from being so carried on. But I beg the noble Viscount to consider, that although we may not be engaged in war with China, yet if we increase our forces there, and undertake any military and naval operations, while endeavouring to assist the finances of China, we shall put our own in great jeopardy. It is to guard myself against any supposition that I would support the kind of policy announced to-night from the Treasury Bench, that I wish to state in these very few words, that while voting against the Motion, I hope I shall not be considered as supporting or endorsing, or in any way giving countenance to a policy which, I think, involves us in very heavy pecuniary expenses, as well as in great political embarrassments.

MR. LAYARD explained that he had not said that the British Government were giving advice to the Chinese Government in financial matters, or aiding in the collection of the Chinese revenue. All he had said was, that English subjects were allowed to be employed and paid by the Chinese Government in connection with financial manners.

LORD JOHN MANNERS: Sir, I so entirely agree with the opinions expressed by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole), that I cannot, like my right hon. Friend, abstain from giving the vote which I intended to give. The speech of my right hon. Friend contained, I think, a just and perfect criticism of the statement of the hon. Under Secretary of State for Foreign Affairs, and I so thoroughly agree with my right hon. Friend in the results which I think will inevitably follow from this untoward policy in China that I feel myself compelled to give my vote in favour of the Motion of the hon. Member for Brighton.

Question put.

The House *divided*:—Ayes 88; Noes 197: Majority 109.

KERTCH AND YENIKALE PRIZE MONEY.

RESOLUTION.

SIR JOHN HAY said, that in rising to call attention to the delay in distributing the prize money for the capture of Kertch and Yenikale, he should not at that late hour detain the House by making a long statement. The town of Kertch was captured upon the Queen's birthday in 1854, with a considerable amount of stores, ships, coals, and a steam factory, which, by the Act of Parliament of 1854, became the captors' property. In 1857 steps were taken to obtain payment, and in 1858 further correspondence took place. In 1859 the attempts were renewed, and from that time the Admiralty had been endeavouring to induce the Treasury to do justice to the soldiers and sailors of the expedition. The Queen's Advocate had pronounced in favour of their claims. Before 1854 captors were empowered to appoint an agent in London to act for them, whose interest it was to secure their money and distribute it amongst them, whether, if they were sailors, their ship were paid off or not. But in that year an Act was passed, under which, as was foretold by Lord Brougham and others at the time, it had become impossible for captors to secure their prize money. By that Act the Accountant General was appointed to act for the captors, and he, being a Government official, was not the best representative of the captors' interests. It happened that the captain of one vessel, the *Viper*, captured a collier, which was sold; and in 1860 proceedings were taken in the Admiralty Court, which resulted in the prize money for the vessel being distributed. The reason why the delay took place with respect to the rest of the prize money was because the Queen's Advocate recommended a grant of money as the preferable course, as applications to the Court of Admiralty would disclose the irregularities that had occurred in some quarters. Among the articles captured was a steam factory, which had been set up at Gibraltar, and which was now in use there, but for which the Government had not paid a single shilling. Of the stores taken a portion was sold at Constantinople for £8,000, which was paid to the Treasury, but the Admiralty had failed to induce the Treasury to do justice to the captors. The end of the correspondence was that under the significant date of the 1st of April the captors were authorized to take their claims into court. Upon the 16th of April the Secretary of the Treasury wrote—

> "My Lords felt that they ought not to be called upon to undertake the responsibility of deciding on the alternative courses (a grant of public money or permission to apply to the court) thus proposed to them. If the Board of Admiralty had submitted to them the grant of a specific sum, and stated the grounds on which it could in their opinion be submitted with propriety to Parliament, it would have been the duty of this Board to consider and decide upon the proposal; but it is not their duty to decide upon the adoption of one of two courses, arising from the proceedings for which the Admiralty or its officers are respon-

sible, when no case was made out for the adoption of either. My Lords can only repeat that, so far as they are at present advised, there are not, in their opinion, sufficient grounds for proposing to Parliament a grant of public money to the captors of prize at Kertch and Yenikale; and the Queen's Advocate has stated in his report abundant reasons for not instituting proceedings, after the lapse of so long a period of time, for the condemnation of the prize in the High Court of Admiralty."

That was after the Treasury authorized the Admiralty to allow the captors to proceed in court. It was then announced to the Queen's Proctor that—

> "It has been decided that after so great a lapse of time no grant of public money could be recommended to Parliament; and further, that on the grounds of the capture having been a joint one by army and navy, and further complicated by having been made in conjunction with the French army and navy, Her Majesty's Government do not consider it expedient that any steps should be allowed to be taken in the High Court of Admiralty towards obtaining condemnation of these stores."

The Act of Parliament pointed out how allies should be paid, and how the cases of joint expeditions should be met. He would put it to the House whether discipline would be maintained among their soldiers and sailors by perpetrating such gross breaches of faith? The hon. Gentleman concluded by moving—

> "That it is inexpedient, in the opinion of this House, that judgment should be any longer delayed on the amount of prize money due to Her Majesty's land and sea forces employed in the capture of Kertch and Yenikale on the 24th day of May, 1854, as it is calculated to injure the confidence of the soldiers, seamen, and marines in the good faith of Her Majesty's Government in matters of prize."

COLONEL NORTH said, he had great satisfaction in seconding the Motion, which could have been brought forward by no one more appropriately than by the gallant Officer who had taken part in the transtions to which it related. The correspondence connected with the Kertch prize was, he might add, in his opinion, as honourable to the Admiralty as it was dishonourable to the Treasury, and he could hardly believe that he heard rightly when he understood the noble Viscount at the head of the Government to have proposed in the beginning of the evening further delay in the matter. It was a somewhat curious fact that the Secretary to the Treasury had taken three months to answer a letter bearing on the subject, to which the Admiralty required that an immediate reply should be returned. Such, however, was the case, and he felt justified in saying that an unmingled feeling of disgust pervaded both the army and the navy at the scandalous manner in which they had been treated with regard to prize money. He referred more especially to the soldiers who had served against the mutineers in India, who had been present at the capture of Delhi. There was not a soldier who might not have secured jewels and other portable booty enough to make his fortune for life; but the officers, trusting in the honour of the Government, had made the men deliver everything up for fair distribution. If faith were not kept with their soldiers and sailors in such cases it would, he contended, be impossible to maintain that discipline which it had hitherto been the pride of the English officer to uphold among the troops under his command. The question was not one of party, and he trusted that the interests of the two services would be upheld by hon. Members on both sides of the House.

VISCOUNT PALMERSTON: I can assure the House that nothing can be further from the wish of the Government, or of any person responsible for the conduct of the affairs of the country, than to interpose unnecessary delay in the distribution of that prize-money which our gallant soldiers and sailors might have earned in their military and naval operations. Those, however, who are at all acquainted with such matters must be aware that there are certain rules in accordance with which prize-money is distributed, that there are certain vouchers and returns required, and that certain facts must be established before a just and equitable division of it can be made among those who may be entitled to a portion of it. It is, I may add, no new thing to find that a considerable time happens to elapse between the date of operations which have taken place at a great distance and the distribution of the prize money which may be awarded in consequence of them. To proceed to distribute money so earned before we were able to ascertain who the persons were who were really entitled to it would be to do an injustice to some by handing over to others, to their exclusion, the share which they had a right to receive. That is one of the reasons why the Delhi prize money has not as yet taken place. That delay is owing to no fault of the Government, but is incidental to the necessity of procuring returns from distant stations. So far as the Resolution of the hon. and gallant Officer opposite is concerned, I can only repeat what I stated in the early part of the evening, that the question which it involves, as the statement which he has made amply proves, is complicated by a series of Acts of Parliament, as well as by considerations of a legal and international character. These points the Government have referred to those by whom they are usually guided in such cases ; and until the report of the Law Officers of the Crown—which I have no doubt we shall receive in a few days—is made, the Government will not be in a position to determine the rights of the several parties to whom the Motion before the House relates. I trust, therefore, hon. Members will wait until the Report is received, and not in its absence jump to a hasty conclusion in this matter.

ADMIRAL WALCOTT : There can be no doubt that it is of the very last importance to keep implicit faith with our soldiers and sailors. At the present moment, we have the painful fact broadly presented to us that two departments of the Government are at issue on the question, whether or not a grievous injustice has been committed with regard to the prize money earned at Kertch and Yenikale, in the year 1854. A pitiful attempt at economy is made the pretence by the Treasury for refusing that undeniably just claim advanced under, and by virtue of, an Act of Parliament and the Queen's Proclamation, and admitted by the Admiralty. The money was earned by the capture of guns, corn, coals, and timber, at Kertch and Yenikale, and which, or a greater part, were actually used in the service of the country, avoiding the necessity of purchases which otherwise must have been made. To withhold this just remuneration savours of dishonour, for there cannot be entertained a doubt, nay, not the shadow of a doubt as to the right and justice of the claim advanced by the captors, and the disingenuous delay in acknowledging it on the part of the Treasury. The value placed on the stores is a sum of £120,000, open of course to a fair estimate upon being duly considered. It is most dangerous, I repeat, to act in this manner, for it will be certain to produce extreme dissatisfaction in the minds of both the army and the navy, and lead them to mistrust the Government in the future. Therefore, I will hope that a strong expression of opinion on the part of this House will effect the immediate redress of a flagrant act of wrong, which no man could more gracefully or pleasantly confer than the noble Lord at the head of the Government.

MR. HENLEY said, he had never read any papers with greater pain and regret than those which bore on the question under discussion. He should offer no opinion as to the department to which blame was more particularly attached in the matter, but it was impossible to enter into the details connected with it without coming to the conclusion, that while the existence of the right contended for was admitted in the correspondence, those to whom the right belonged were shuffled out of that to which they had a just claim. The persons interested very fairly said, "Either give us the money or let us appeal to a court of justice, which will decide whether we are entitled to it or not ;" but the Crown interposed and said, "We will neither give you anything, nor allow you to bring your case before a court of justice." The consequence was that six or seven years had been allowed to elapse without any settlement of those claims, and yet the noble Lord opposite did not hesitate to ask for further delay. He should certainly support the Motion.

MR. DEEDES said, that with respect to the Delhi prize money, he wished to state, that when he had asked why it had not been distributed, he had been told that it was necessary to wait for Returns. If the Returns, however, were necessary, the system was a bad one ; for the parties had waited for two or three years. Three months ago he asked why the staff officers, respecting whose claims no Returns were necessary, had not been paid, and was promised an answer, but no answer had yet been given. The sooner the present system was altered the better.

LORD CLARENCE PAGET said, the hon. and gallant Member had not correctly stated the object of the Act of 1854. The intention of that Act was not to prevent navy agents from supporting claims for prize money, but to prohibit them from accumulating prize money which had been awarded, and so putting officers and men to great expense before they received their own. It gave officers and men the power of not appointing agents at all, but of receiving their prize money through an officer of the Government. Still, however, the parties entitled to prize money might appoint an agent if they pleased, and that course had actually been followed in the present case. He might add that the first time the Government heard of this claim was in 1861. The Admiralty, who were always ready to maintain the rights of their officers and men, had no other course to pursue but to refer the matter to the Treasury. The whole case was now before the Law Officers of the Crown, and he hoped the House would wait for the report of those functionaries, when the Government would be able to state their intention.

SIR CHARLES WOOD said, in reference to what had fallen from the hon. Gentleman opposite (Mr. Deedes) with regard to the Delhi prize money, there was a certain sum to be divided among a certain number of persons, and it was impossible to ascertain any share till the number of persons was ascertained. Many of the regiments had left India, and some had gone to New Zealand, and it was impossible to ascertain the number entitled till they received the returns from the colonels of the regiments.

THE CHANCELLOR OF THE EXCHEQUER said, he would not enter into the prospective part of the question. The principle that the captors of Kertch were perfectly entitled to the proceeds of whatever the Court of Admiralty might condemn as prize was not contested by the Government. The gallant Admiral opposite (Admiral Walcott) spoke of their being entitled to the whole property that was taken in Kertch. [Admiral WALCOTT: No.] That was not the case. It was necessary, however, that the Government should be advised in particular and distinct terms by the Law Officers of the Crown as to the course they were to take. After what had been said by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) he would make the frank avowal that there had been a misapprehension between the Treasury and the Admiralty with respect to the limits of their respective jurisdictions. There were two modes in which effect could be given to claims for prize money. One was the mode of Parliament grant. That mode of proceeding was one which it was within the competency of the Admiralty to recommend, but which it was exclusively the duty of the Treasury to decide upon. In the present case the Treasury had informed the Admiralty that in their opinion there were no grounds for proposing a grant. The other mode of proceeding was through the medium of the Court of Admiralty. It was true the Queen's Advocate had stated it as his opinion that it would be better to proceed by grant than by resort to the Court of Admiralty; but the reasons given for that opinion were, if not insufficient, at all events not so valid as to carry convictions to all minds. The matter, at any rate, was not one for the Treasury to decide upon. It did not belong to the Treasury to say whether parties should or should not be permitted to prosecute their claims in the Court of Admiralty. That was a question exclusively within the jurisdiction of the Board of Admiralty and of no other department of the Government. The Board of Admiralty had proceeded as if the Treasury had had the right to determine whether the case should be prosecuted in the Court of Admiralty or not. The Treasury had no such right, and that was a question, which, after hearing in full the opinion of the Law Officers of the Crown, it would be the duty of the Board of Admiralty to decide. The delay which had occurred was not attributable to the Government. The impression appeared to be that there had been a delay of seven years, but for six out of seven of those years the subject had not been mentioned to the Government at all. It was the duty of the parties to bring it before the Government, and in the case of the captain of the *Viper*, which was very properly brought by him before the Government immediately on his returning to England, there being no difficulty or impediment, it was allowed at once to go into the Court of Admiralty. He regretted that any misapprehension had occurred, and he made that statement with confidence that the House would receive it in the sense in which it was made. With reference to the future, if the hon. and gallant Gentleman meant, by his Resolution that "it is inexpedient that judgment should any longer be delayed," that no delay whatever should take place, that the Government should have no opportunity of advising on the matter, that was obviously impracticable; but if he meant that no longer time should be taken than was necessary to carry the matter through its various stages in a regular and orderly manner, there would be no difference of opinion.

MR. WHITESIDE said, the right hon. Gentleman had mentioned two modes in which justice could be done. The first was by a vote of money. There was the answer from the last letter in the correspondence—

> "With reference to former correspondence on the subject of the condemnation of stores, &c., captured at Kertch and Yenikale, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that this question has been again under the consideration of Her Majesty's

Government, and it has been decided that after so great a lapse of time no grant of public money could be recommended to Parliament."

Then, as to the second mode—adjudication by the Court of Admiralty—here was the answer—

"And, further, that on the grounds of the capture having been a joint one by army and navy, and further complicated by having been made in conjunction with the French army and navy, Her Majesty's Government do not consider it expedient that any steps should be allowed to be taken in the High Court of Admiralty towards obtaining condemnation of those stores."

Sir JOHN HAY said, he just wished to call attention to one fact. The noble Lord the Secretary for the Admiralty had said that the Treasury was the judge; and they had just heard the decision of the judge.

Viscount PALMERSTON: Upon the understanding that the object of this Motion is that the question should be referred to a competent court of law, I have no objection to it.

Motion made, and Question,

"That it is inexpedient, in the opinion of this House, that judgment should be any longer delayed on the amount of Prize Money due to Her Majesty's Land and Sea Forces employed in the capture of Kertch and Yenikale on the 24th day of May 1854, as it is calculated to injure the confidence of the Soldiers, Seamen, and Marines, in the good faith of Her Majesty's Government in matters of prize,"

—put, and *agreed to.*

BURIALS BILL—[Bill No. 146.]
COMMITTEE.

Order for Committee read.

Sir MORTON PETO said, that owing to the late period of the Session, he intended to withdraw the measure, with the view of re-introducing it when Parliament met again.

Mr. WALPOLE said, he should regret to see the Bill introduced again, as every clause in it was open to the strongest objection. In remedying the smallest possible grievance it would create the greatest amount of inconvenience. It ought to aim at the removal of a specific evil without inflicting a covert injury upon the Established Church.

Order *discharged.*

Bill *withdrawn.*

FISHERIES (IRELAND) BILL.
[BILL NO. 170.] COMMITTEE.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. BUTT moved that the House do go into Committee on the Bill on this day three months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"

—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 41; Noes 25: Majority 16.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

House adjourned at half after
Two o'clock

HOUSE OF COMMONS,
Wednesday, July 9, 1862.

Minutes.]—Public Bills.—1° Statute Labour Roads and Bridges (Scotland).
2° Sale of Beer, &c.; Savings Banks (Ireland).
3° Turnpike Trusts Arrangements.

CLERGY RELIEF BILL—[Bill No. 132.]
THIRD READING.

Order for Third Reading read.

Mr. E. P. BOUVERIE moved that this Bill be read a third time.

Motion made and Question proposed, "That the Bill be now read the third time."

Sir LAWRENCE PALK said, the measure was most objectionable. It was not likely to pass, but that House ought not to trust to the other House of Parliament to do that which it was its own duty to perform. The principle set up by the measure was that the House of Commons ought to exercise a power never assumed by the Pope of Rome in the haughtiest days of the Church—namely, to release from their vows priests who had, with the utmost solemnity and deliberation, devoted themselves to the service of the Church. A candidate for holy orders was, after a probationary trial, ordained a deacon, and it was not until after some years and a further examination that he was ordained a priest. He was then solemnly set apart for the service of the Church by the imposition of hands. The right hon. Gentleman (Mr. E. P. Bouverie) who was the author of the Bill sought to do away with all the vows which the priest then made. The practice of the Bill was as objectionable as its principle. A person who had been the clergyman of a parish might set himself up in the same parish to preach heresy and schism, or, if he chose to throw off the ecclesiastical character altogether, he might appear among his former flock as a layman and engage in any lay occupations. The Bill was, he thought, most mischievous in its character, and he would therefore move as an Amendment that it be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Mr. LYGON begged to second the Amendment.

Lord HENLEY said, that he hoped the House, having passed the Bill through its previous stages, would not refuse its assent to the last. The Bill only relieved those who dissented from the doctrines of the Church of England. These were a very small number of the Church, and therefore the Bill went but a very little way. He should have been glad had it gone further. There were those who, having taken orders, found themselves unfitted for clerical duties, either those of preaching or visiting the poor; it would be better for the Church, as well as for such persons, if they were permitted to lay down their orders and betake themselves to some other profession in which they could be useful. There were those who felt from the life led they were unfitted for the Church—these, too, ought to be allowed to subside into the laity. Again, there was the case of persons, as younger sons, who took holy orders as a means of living—such persons might succeed by death of an elder brother or otherwise to competence, and might very naturally desire to turn their abilities into some other useful channel than the Church; and if so, they ought to be allowed to do so. It might be said that they might become magistrates, but many thought that the duties of a magistrate were incompatible with those of a clergyman, and one Lord Lieutenant objected to appoint clergymen as magistrates. But there were other positions of usefulness which persons of the description referred to might fill with advantage to themselves and the country. There was one clause which he thought open to objection; it was that which provided that the Bishop should pronounce sentence against them. It was very likely that persons who so desired to throw off holy orders would not much care about any sentence which the Bishop could pronounce, but he objected to this power being placed in the hands of the Bishop. He also objected to the prohibition the Bill imposed upon persons so denuded of holy orders sitting in that House, considering that they should, on being restored to the laity, be free to all the rights and privileges of laymen.

Mr. E. P. BOUVERIE said, that he regretted that an opposition to the Bill should be manifested at that stage. The hon. Baronet (Sir Lawrence Palk) was not present at the second reading, and it was rather hard that he should wait until the last moment, and then the night before the third reading, attempt to steal a march upon the Bill by giving notice of a Motion for its rejection. He therefore considered he had some little right to complain of the course taken by the hon. Baronet. Unless some measure of the kind were passed, the clergy of the Church of England would remain the only people in the kingdom who were deprived of all liberty of conscience. Would any one deny that there were clergymen of the Church of England whose religious convictions had changed since their ordination, and who were no longer conscientious members of the Church? The fact that there were such clergymen was as open as the day, and upon this fact he took his stand. What was such a man to do? He had formed religious opinions irreconcilable with his subscription to the Articles, and he could no longer profess an adherence to the standard and doctrines of the Church. Was he to go on preaching that which he believed to be false? Was he to teach heresy from the pulpits of the Church? Let the House remember the recent case of Mr. Heath. He was at the University with that gentleman, and might safely declare him to be a man of remarkable learning and ability. Mr. Heath had formed certain opinions, and he taught them from the pulpit of the Established Church. He was proceeded against in the Bishop's court for heresy, his doctrines were adjudged to be heretical, and he was deprived of his living. What was a man in such a position to do, and what means of existence were left him? The law debarred him from entering any profession whatever, and forbade him to engage in any lay occupation. In other words, the law condemned him to penury for the honest utterance of his religious opinions. What did this amount to? That no clergyman of the Church of England, if he had formed opinions inconsistent with those of the Church, could avow them unless he had independent means. That was not a sound principle, so far as the Church was concerned, and among its collateral evils was the argument which it put into the mouths of the opponents of the Church as to the honesty and sincerity of the clergy of the Establishment. If clergymen were told that they would be punished for any avowal of opinions differing from the standards and doctrines of the Church, an imputation would always rest upon the sincerity of those who adhered to the doctrines of the Church. It was most important to the interest of the Church itself that those who had ceased to be conscientious members of her body should have an opportunity of escaping from the obligations of their ordination vows. Instead of this, a clergyman who had changed his views might be cast into prison, like Mr. Shore, for disobeying the monition of the Ecclesiastical Court. If, however, he happened to become a Roman Catholic, and to assume the priesthood of that Church, he was exempt from all penalties under a special Act of Parliament. Parliament, having thus absolved clergymen who became Roman Catholic priests from all temporal penalties, was bound to extend the same liberty to those who might wish to become Protestant Nonconformist ministers. This was not a mere theoretical question, or sentimental grievance. There were numbers of persons who had retired from the ministry, and who were prevented from obtaining a livelihood in another profession. He had presented a petition from a young man of ability who had resigned a valuable living in Liverpool; and when he sought to go to the Bar, was at once met by the Benchers with a refusal, because he had himself stated to them that he was an ordained clergyman of the Church of England. He had also received a letter from a gentleman who said that he had entered the Church, had obtained a curacy and began reading subjects immediately connected with his profession; that he formed opinions which he honestly believed inconsistent with those which the ministry required, that he had therefore ceased to perform any clerical duties, and that he wished to go to the Bar, but that he was prevented in consequence of the present state of the law. Would it be contended that that was a proper restriction to impose upon a person who was no longer able conscientiously to discharge the duties of a minister of the Church of England? Now, let the House observe what might happen and was not unlikely to happen. The law was not always enforced, but it might be enforced at any time. There was a case which must be familiar to hon. Gentlemen. A few years ago Mr. Baptist Noel seceded from the ministry of the Church of England in consequence of his religious convictions, and he had since then been performing the duties of a Dissenting clergyman. Now, Mr. Baptist Noel might be proceeded against at any time and thrown into prison, and, let the House remark, not at the instigation of the Bishop only—for he believed no Bishop would be so unwise as to attempt to stop Mr. Baptist Noel's mouth in preaching the Gospel and spreading morality and religion. Anybody, however, might bring him into the ecclesiastical court, "promote the office of the Bishop," as it was called—using the Bishop's name whether he liked it or not—and Mr. Baptist Noel might be thrown into prison unless he was willing to resign his ministry and forego officiating as a Dissenting clergyman, which he certainly would not. Were the House and the country prepared for such a course as that? Did any one believe that it would be for the benefit of the Church of England, that this should be done or, if it were done, that the law would be allowed to remain in its present state for six months longer? If any person thought so he was incapable of forming an idea of what public opinion outside the walls of Parliament was. The hon. Baronet the Member for South Devonshire (Sir Lawrence Palk) could not have read the Bill. [Sir LAWRENCE PALK said that he could assure the right hon. Gentleman he had read it.] Well, then, he was sorry for it, because in that case the hon. Baronet was quite incapable of understanding the Bill. For what did the Bill propose to do? Only this—to exempt from temporal penalties persons who had declared their inability to discharge conscientiously the duties of clergymen of the Church of England. It did not touch the question of their orders. It merely said that the temporal authority of the State should no longer be had recourse to for the purpose of enforcing obligations which they could not conscientiously discharge. Would the hon. Baronet affirm the contrary opinion? Would he say that temporal penalties ought to be inflicted? Would he say that the gentlemen who had petitioned that House for relief were to be precluded from engaging in any occupation whatever? What was the result of the present state of the law? It was that those who had means might repudiate the Church, and those who had no means must remain in the Church, leading a life of hypocrisy, and teaching doctrines which they did not believe to be true, or else they must be thrown on the world with all access to useful occupation closed against them. He submitted with confidence to the House that no one in his senses would wish to maintain the existing state of the law. It was a sense of the reality of the grievance which compelled his hon. Friend the Member for Oxford University (Sir W. Heathcote) to move that the Bill be referred to a Select Committee. Well, the Bill was referred to a Select Committee, it was there modified in various ways, various safeguards were introduced to insure that the declaration of dissent should be made with due deliberation, circumspection, and forethought; and now the hon. Baronet stepped in and called upon the House to reject it, because he said that the Bill was mischievous, and that it had no chance in another place. How did the hon. Baronet know that it had no chance in another place? He (Mr. Bouverie) might set his opinion against that of the hon. Baronet and say that it had a very good chance. He had the public authority of one of the most distinguished bishops of the Church upon the subject. The words to which he alluded had been quoted by the noble Lord the Member for King's Lynn (Lord Stanley) upon the second reading, and he would quote them now for the information of the House. When he introduced a similar Bill in 1849 the prelate to whom he referred wrote to the Archbishop of Canterbury as follows:—

> "I rejoice to be able to say that your Grace, as well as myself, is entirely disposed to favour and support any well-considered measure (as the Bill now before the House of Commons must be expected to be) for relieving any clergyman who, after he has been admitted to holy orders in the Church, should conceive conscientious scruples against a continuance in its communion. So far, indeed, from wishing to chain to the service of the altar any whose conscience bids them renounce that service, the true Churchman would urge them rather quietly to withdraw than to persist in the performance of offices which they can no longer perform without peril to their own souls, and a serious offence to the souls of others."

Those words came from no less an authority than the Bishop of Exeter; and if there was any one prelate more than another who would have strenuously opposed any violent measures for the disruption of the Church of England, it was he. Therefore he thought he was fairly entitled to assure the House that there was no such certainty as the hon. Member supposed that the Bill, if passed by that House, would be rejected in another place. He submitted to the House that the case for the Bill was unanswerable in argument; that it provided a remedy for a real grievance, a remedy which had been well considered by a Select Committee, composed of some of the most eminent Members of the House, who would not adopt any measure injurious to the Church of England, and he therefore entreated the House not to reject the Bill.

Mr. ROEBUCK said, that there were two ideas underlying the opposition to the Bill. One was that a man could control, govern, and altogether bind his opinions. Well, supposing that at twenty-two years of age a man subscribed to the Thirty-nine Articles—and they contained some very curious opinions—and if he found at twenty-seven, upon further inquiry, that his notions at twenty-two were incorrect, then the opponents of the Bill would say to him, "You shall not tell the world that you have lived and learned. What you believed at twenty-two you shall believe at seventy, if you live so long." The next idea underlying the opposition to the Bill was a very curious one, and it was this—that there was something in the hands of a Bishop which, when he laid them on the priest's head went through him, and gave him some peculiar quality, and rendered him a different man ever after. To state these ideas was quite sufficient to refute them. Such notions could not be entertained for a moment. He was not alluding to the Roman Catholic Church; he was merely expressing Protestant ideas in Protestant language. Well, was there anything in the hands of the Bishop which so affected a man that he was not after the age of twenty-one or twenty-two to change his opinions, and was not to be allowed to open his mouth except in defence of the Thirty-nine Articles? The right hon.

Gentleman (Mr. Bouverie) was right in what he said about the hon. Baronet the Member for South Devon (Sir Lawrence Palk) that he could not have read the Bill, or, if he had, that he could not understand it. It merely said that the man who seceded from the Church should not be followed by the penalties of the law. Now, he wanted to know, was there in that House any person so intolerant as to wish to chain a man to his post for ever because at the age of twenty-two he had subscribed to the Thirty-nine Articles? Such an attempt could only bring down unspeakable ridicule on the heads of those who made it; and as the world went on, such childish and absurd notions would not be allowed to prevail.

Sir GEORGE GREY said, that when the Bill was read a second time, it was admitted that considerable hardship was suffered under the present state of the law by men who had been compelled by their conscientious convictions to declare their dissent from the doctrines of the Church of England. The real state of the case had been distinctly put by the right hon. Gentleman (Mr. Bouverie). Those persons were liable at present to proceedings in the Ecclesiastical Court; and though many years had elapsed since any such proceedings had been taken, the law remained unchanged, and he thought that persons should not be liable to such a danger. Besides, clergymen who seceded were debarred from having recourse to other professions for the maintenance of themselves and their families. The only questions raised upon the second reading were the extent to which the relief should go, and the mode in which that relief should be administered. He thought the right hon. Gentleman had shown great good sense in abiding by the decisions of the Select Committee, although they had overruled some of his own opinions. The objection that persons guilty of gross immorality and desiring to lead vicious lives might make use of the Bill to forward their objects had been effectually removed by the restrictions which the Select Committee had imposed upon the operation of the Bill. Under all the circumstances, he thought the House would act most injudiciously, and that they would do a great injustice to those who sought relief, if they were to reject the Bill now upon the third reading. The question of the indelibility of holy orders had been carefully eliminated from the Bill. He therefore hoped that the House would confirm the decision to which it had come upon the second reading.

Mr. DARBY GRIFFITH said, that he felt it his duty to oppose the Bill. Its practical working would be that some clergymen would leave the Church for insignificant differences of opinion, whilst others, of more conscientious feeling, but holding equally diverse views, would feel compelled to remain.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 88; Noes 98: Majority 10.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Third Reading *put off* for three months.

CHURCH RATES COMMUTATION BILL.

[Mr. Newdegate.]

[BILL NO. 13.] SECOND READING.

Order for Second Reading read.

Mr. NEWDEGATE said, Sir, early in the Session, the House gave me leave to introduce a Bill with a view to the Commutation of Church Rates. I trust I have proved to the House, by the course which I have adopted with respect to this Bill, that I am guilty neither of the presumption nor of the folly of supposing that I can force upon the House any opinions of my own. I have always felt that this subject is deeply and thoroughly worthy of the consideration of the House, and have always regretted that proposals for its settlement should be left in the hands of independent Members. But, Sir, I think the House will agree with me, that upon this grave question we are not prepared to accept the decision of any Government, however authoritative, without having a full opportunity of expressing our own opinions, and deliberating on any solution which may be proposed. Feeling this, and knowing that many hon. Members opposite have during the long course of the agitation of this question become deeply committed to the Church Rate Abolition Bill, I felt that it would be an utterly useless attempt on my part to ask for a second reading of this Bill until the Bill introduced by the hon. Baronet the Member for Tavistock (Sir John Trelawny), had been discussed and decided upon. I felt that I could not expect hon. Members who had voted for that Bill to consider mine, until that Bill had been disposed of. Afterwards, my right hon. Friend the Member for Wiltshire (Mr. Sotheron Estcourt), desired that the House should consider certain Resolutions. Well, knowing the respect in which that right hon. Gentleman is held by every Member on this side of the House, and indeed by every Member of the House, I felt that it was clearly my duty to postpone the consideration of the Bill now before the House, until the Resolutions of my right hon. Friend had been duly considered. I think, therefore, the House must admit that I have suggested this matter for their consideration in no spirit of presumption, but from a sense of duty, and as respectfully as I could, hoping that either in the present Session or in the next the main principles and object of this Bill will meet with a careful consideration. My request is, that the House will refer this Bill to a Select Committee, because so conscious am I of my own inability—so conscious am I that my position in this House cannot give sufficient weight to the details of the scheme—that I propose that the details should be decided by, and have the authority of a Select Committee, whose opinion would have such weight with the House as might remove doubts and reconcile conflicting opinions.

With these few preliminary remarks, let me now ask the attention of the House to the substance of this Bill. It proceeds upon no new principle. If the House will allow me to glance, in passing, for two or three minutes at the history of church rates, I think I shall be able to show them that church rates originated in a charge upon property previously to the Conquest. In Saxon times, no other considerable amount of property existed in the country beyond landed property, or tenements, such as is denominated technically the real property. The congregations then belonging to the Church by custom contributed in one whole sum that which was necessary for the maintenance of the ministry of the Church, for the maintenance of the priest, and for the sustentation of the fabric. Afterwards the right of the priest was differently acknowledged; the provision for the sustentation of the fabric and the services of the Church was separated from the tithe, and was supplied from the rates. But still the sum requisite continued to be levied upon the almost only property that then existed—real property. In the course of ages large masses of other property, the fruit of the industry of the people, were developed. Personal property grew up in all its various phases, and for hundreds of years remained taxable for the purposes of church rate. But, Sir, with some trifling exceptions, stock-in-trade has been exempted from rating. Therefore we come back to this position—that the church rate is practically levied upon the same sort of property as that upon which it was originally imposed—namely, with scarcely an exception, or with an exception not worth consideration, it rests solely upon land, or upon real property. I know that it has been disputed whether this is not a personal tax. But let me put this to the House. If a man comes into this city and lodges in an hotel for the rest of his natural life, he never can be touched by any church rate, or other rate. Well, then, although in theory, the rate is a tax upon the individual, it is so only in respect of his occupancy of some form of real property — land, or tenement, or some description of hereditament. Therefore the church rate, practically, is a charge upon land. Now, Sir, in that fact lies the solution—at least, I believe that I see the solution—of the great difficulties in which this question is involved. Not only has personal property accumulated and has been exempted, but about one-fourth of the population of the country are not members of the Church of England; large numbers claim to be considered and treated as not members of the Church, and I am sorry to say that many feel it a degradation to pay even a penny towards the sustentation of the Established Church. The Legislature of this country, in dealing with this question, has no right to ignore the existence of that wide-spread feeling.

Sir, my proposal is this—at once to declare all personal liability on account of church rates void, and to revert to the arrangement originally made for the maintenance of the fabric and the services of the Church, by declaring that that portion of the gross produce of real property, which never was included in the rent paid to the landlord, shall continue to be reserved for the purpose of maintaining the fabric and the services of the Church free for the worship of all, and also free in this respect, that the Church is willing to acknowledge the difference from her creed and discipline of those who conscientiously object to her organization. I think, when this House considers that it is twenty-eight years since the first serious proposal was made by the Government of Lord Grey for the solution of this question; that the records of Parliament contain nothing upon this subject since that period but the recognition of grievances and the wrecks of abandoned Bills, the record of the impotence of the Legislature to deal with this question—I think they will not consider me impatient or presumptuous, if I am anxious that the Legislature, if I am anxious that the country, should have some definite proposal before them for the remedy of this grievance, and for the amendment of the law. For what is the state of the law at present? It is perfectly contradictory. The original state of the law was this—that persons in respect of the property they held or occupied in each parish should contribute to the maintenance of the Church; and the law gave the churchwardens the right to levy the money, and also imposed upon them the duty of expending it in concurrence with the vestry. It imposed a duty upon the vestry. The function of the vestry was not to consider whether the Established Church should be maintained in decency within the parish for the use of all or not; but the function of the vestry was to ascertain what sum was necessary for that purpose, and to decide in what manner that sum should be applied for the accomplishment of this object. Why, Sir, one-half the irritation which has attended this question has arisen from the decision in the Braintree case, which is totally opposed to the original law on which church rates have been founded. According to the decision in the Braintree case, the majority of the parishioners can decide whether, so far as the legal provision for the sustentation of the fabric and the performance of the services of the Church is concerned, the Church of England shall exist at all within the parish. It has always appeared to me that the decision was a most lamentable one. I can understand the feelings of the Dissenters who are in the minority in a parish, and who consider it a tyranny when this great question—the existence of an Established Church—is left to the decision of their neighbours in vestry, and is decided against them, and at their expense. It is a question beyond the functions or competency of a vestry to decide, and feelings of bitter irritation have sprung up from this. The minority say, the law declares that we have a voice, and by the law we are bound to exercise that voice in accordance with our opinion, when voting practically whether the Established Church shall have a *locus standi* in the parish of which we are inhabitants or not. The sincerity of these convictions compels them to continue the struggle. They would be held recreant if they did not oppose the church rate in the vestry, since the decision of that matter in the vestry has been made to comprehend a question, on which they have a peculiar opinion, a question on which the vestry is not, I submit, at all fitted or competent to decide. It is in order to remove this, which I believe to be the chief cause of the dispute and bitterness on the subject of church rate, that I ask the House to consider the principle of this Bill. Can it be said that the present state of the law is satisfactory? I think no hon. Member will deny that it exists in the condition I have described. Why, Sir, eight-and-twenty years ago the present Lord Derby, then Mr. Stanley, Chief Secretary for Ireland under Lord Grey's Government, and one of the most eloquent Members of this House, thus spoke on the then existing state of things. He was, in 1834, supporting the proposal of Lord Althorp, for the settlement of this question, and he then said—

> "He was perfectly ready to admit such maintenance of an Established Church ought to be conducted upon principles and in a manner the least irritating and offensive to other parties, both as respected the amount and the mode of collection. He was equally ready to acknowledge that church rates, as they stood, formed to the Dissenters a serious and substantial grievance. To afford them real relief from that grievance was the object which His Majesty's Government had in view, but his hon. Friend the Member for Oxford (Sir Robert Inglis) objected to the proposed measure as endangering the security of the Established Church. Now, so far was he from participating in the fears of his hon. Friend respecting the security of the Established Church, it was his full persuasion that no step could be taken better calculated to fortify its true interests than the proposed measure of his noble Friend. His hon. Friend appeared quite to mistake the temper of the times when he supposed that the people of England were not decidedly adverse to church rates in their present form. His hon. Friend had said (and he appeared to attach considerable importance to the statement) that it was only in fifty or sixty parishes that anything like successful opposition had been offered to the levying of church rates." [3 *Hansard*, xxii., 1035.]

And I beg the attention of the House to what follows:—

> "But his hon. Friend had not stated in how many instances opposition had been put down for a time in order to be renewed at a future opportunity, should no proposition be brought forward by the Executive, and submitted to Parliament

> for the relief of Dissenters and all parties upon whom that burden might unjustly press. His hon. Friend forgot to tell them how many hundred parishes there were waiting to follow the example of those which had successfully resisted, should the decision of the Legislature give them no hope of relief. [3 *Hansard*, xxii., 1035.]

That was the opinion of Mr. Stanley in 1834, and I appeal to the experience of the House whether the foresight evinced in that declaration has not been justified by the constantly-renewed disturbance of this question ever since that period. Mr. Stanley afterwards said—

> "But though he addressed those arguments to his hon. Friend, he was by no means prepared to go the length of agreeing with the hon. Member for Boston in not only relieving the Dissenters, but in abolishing church rates totally. He was not prepared to leave the Church without the means of defraying those expenses hitherto supplied by the rates." [3 *Hansard*, xxii., 1036.]

The Bill which I have submitted to the House is, to the best of my poor ability after years of consideration, intended to effect the objects indicated by Mr. Stanley in the year 1834. And is the opinion of the Earl of Derby of this day different from that of Mr. Stanley of 1834? Why, Sir, I find in the Report of the Committee on Church Rates, appointed three years since by the House of Lords, the following Resolution was proposed by Lord Derby and adopted by the Committee:—

> "That the principle of assessing the owner instead of the occupier to the church rate is well deserving the serious consideration of Parliament in any future legislation on the subject."

Thus we have the authority of the concluding Resolution of the Committee of the House of Lords, that the object proposed by the Bill, which I have had the honour of laying before the House, "is well deserving the serious consideration" of the Legislature. Now, Sir, perhaps it may be doubted, whether the fact, which I have stated is true—namely, that church rate is practically a charge upon real property; in other words, that the church rate rests upon a portion of the gross value of real property reserved for the purposes of church rate to the use of the parishioners, and represents the right of the parishioners to that portion of the gross value of the land, which is beyond the rent and never included in it. Now, it may be said, if this were true, it must have appeared in the early debates upon this question. And so it did appear: for in the discussion of 1834 I find not only a statement of this fact, but the admission of this fact from both sides of the House; and it was the

potency and cogency of this fact which defeated the Bill proposed by Lord Grey's Government. I will quote high authorities upon both sides of the House in proof of this assertion. At that time Mr. Daniel Whittle Harvey was a very eminent Member of this House; and so was the late Sir Robert Inglis, whom many of us remember, and all who do so, regret What did Sir Robert Inglis, the Member for the University of Oxford, say?—

> "It was precisely and strictly as an element of charge upon his property, as he had bought it, that a Dissenter, as well as every other man, was called upon to pay his proportion of church rates. If the amount had been raised by a poll tax, then the Dissenters might have complained of being included in its operation; but he could not understand how any person, upon the principles of honesty as between man and man, he having purchased a house or land with certain liabilities, calculated in its value, could come forward and claim to be relieved from those liabilities upon the ground of holding certain opinions upon points on which he had, perhaps, changed his mind since the period of making his purchase. He thought those remarks disposed of the question of right and justice. He contended that the church rate was a tax upon property, not upon individuals, and that the Dissenters acquired their property liable to the payment. . . . The church rate amounted to about three pence in the pound upon the whole landed rental of the kingdom; and he would ask any one whether Dissenters could be supposed to pay more than one-fourth of a farthing on the pound upon the rental?" [3 *Hansard*, xxii., 1026, 1027.]

That was the opinion of Sir Robert Inglis. I will now ask the House to consider the opinion of a very different man—Mr. Daniel Whittle Harvey—an eminent representative of the Dissenting interest. What were the objections he took to Lord Althorp's plan—that plan being to take £250,000 a year from the land tax, and to apply it, under the authority of the Ecclesiastical Commission, in addition to £50,000, taken from church property, with certain other funds, to the purposes of church rates, thenceforth to be abolished, as regarded the maintenance of the fabric. What was Mr. Harvey's objection to the plan? He said—

> "But to come more directly to the plan of the noble Lord (Lord Althorp). Stripped of all details, what is it? It is a proposition, if not directly to tax the people to the extent of £250,000 a year, at least to take away from the available resources of the country a sum of money to that amount. . . . The noble Lord, in his statement of his budget, said that he had reserved a surplus of £500,000, wherewith to meet probable contingencies; but now he takes away from this sum £250,000, to be deducted from the land tax—a tax, be it remembered, which constitutes a

part of the ways and means of the country as certainly as any other item. . . . . . . Let me ask, if you were to extinguish tithe to-morrow, and substitute for it a payment of £5,000,000 annually out of the Consolidated Fund, would not this be a clear and direct dealing with the finances of the country? By either or both of these measures, you will relieve property at the expense of the people, and thus be doing that which, on former occasions, I have ventured to say we show too ready a disposition to do—namely, relieve ourselves at the expense of others. It was well said by the hon. Member for the University of Oxford, that the church rate was not less a charge upon property than tithe. This is no fallacy. The church rate affects property in the same manner as any other charge. The other day I was called upon to pay £14 for my house in Great George Street, for the repair and maintenance of a neighbouring church. Now, if I were to sell my house, would not the purchaser inquire after the church rates as well as the parish rates, the sewer rates, and all other charges affecting property; and having taken them into consideration, would not the amount of them influence the price?" [3 *Hansard*, xxii., 1042, 1045.]

The late Mr. Hume had said—

> " The noble Lord had told them that the reason (of the opposition to church rates) was because the Dissenters objected, on principle, to pay for the support of the Established Church. But had the noble Lord by his plan altered that state of things? No; the noble Lord had merely changed the manner in which the payment was to be made. It was merely paying the money out of one pocket instead of out of the other." [3 *Hansard*, xxii., 1020.]

But that statement was totally overruled by Mr. Harvey and Sir H. Inglis; for they both said that the plan of the Government could not be admitted, because it was equivalent to taking £250,000 out of the general taxation of the country and putting it into the pockets of the owners of real property. Sir, I think I have shown the House that when I ventured boldly to assert that church rate is a charge upon real property, I did not make the statement upon light grounds.

While looking at the debate of 1834, let the House consider the circumstances of Parliament at the time. It was two years after the passing of the Reform Bill. That has been called a revolution. Certainly the feeling of the population was such, that it brought every Member of this House to consider first principles, and to commune closely with his neighbours and constituents. There was a freedom of thought produced, and a freedom of inquiry induced by the circumstances of the time, which tested the nature of each grievance; and although the remedy at first proposed might not have been suitable, still the perception of the evil was more distinct and the indications of the future remedy more apparent than they have been in any subsequent discussion, which has taken place since that time. For, take the facts as they stand. When a grievance exists, an agitation springs up, and nothing can prevent persons from availing themselves of the popular movement in the sense of making some little political capital for themselves; organization springs up whether for the maintenance of some established institution, or for its abolition, and parties become interested in the continuance of the agitation; and thus the consideration of the original grievance becomes clouded by the interposition of personal objects and personal considerations, and matters are introduced totally alien to the functions of those, whose duty it is by legislation to provide for the removal of every real and well-proved grievance which may press upon any portion of the people. Have we, Sir, since 1834 been without authoritative declarations on this subject? In 1843 the Poor Law Commissioners, in their Report, state distinctly that rates in their average amount are a charge upon real property; and they state that it is the non-recognition of this fact that has led to one-half the difficulties in the assessment for the rating and the disposal of the rates. The late Sir Robert Peel, whose sense of the present condition of church rates was so keen, that together with the whole tory party he voted for the introduction of the Bill proposed in 1834, by Lord Grey's Government, subsequently declared church rates to be a charge upon real property. I think, Sir, I need not cite further authorities. Nothing can be more clear than the demonstration given in the evidence of Mr. Coode, the real author of the Irish Poor Law, that rates, in their average amount, are a charge upon real property. And this House has recognised the fact, for on the assessment under the Irish Poor Law, one-half the burden is imposed directly upon the land. That being a case where no poor rate existed previously—for formerly there was not in Ireland, as there has always been in England, a portion of the gross value of the property reserved for maintenance of the poor.

Sir, I will not trouble the House with any further documents, but will, with the permission of the House, proceed to consider the changes which it is quite obvious are necessary in the law of church rates. I desire that a substitute for church rates should be recognised and reserved to the use of the parishioners for the maintenance of their church. I admit, that when an intended occupant proposes to take either land or a house, the deduction which he makes is based upon an average, and that therefore, if at any period a new rate is imposed, or an old rate is suddenly increased in amount, the amount of the new rate, or the increase of the old rate, defeats the calculation, and imposes a charge upon the occupant personally. Well, Sir, that is a consideration which induces economy in every vestry and in every Board of Poor Law guardians, because the occupant, if he sanctions an expenditure above the average amount of the rate, for which he has made a deduction from the rent, will have to pay the excess himself. In considering the propriety of establishing a charge directly upon real property, it is obvious that it would be most unjust to allow occupants, who would cease to pay one penny of it under any circumstances, to assess the amount. They would have no economical interest; and therefore, seeing that the amount of the gross value of real property, which I wish to preserve to the use of the parishioners for the purposes of church rates, has been calculated at an average by every occupier, I would take an average. And what average ought I to take? I tried to take an average of the church rates of each parish during a certain period. But I found that would be a most difficult test, because in a parish where there is a new church, very likely there may not have been a church rate including any considerable amount for repairs for twenty years. I could not take that as a test; nor could I take an average except by some estimate (always uncertain) in the case of a parish where the church has been dilapidated and has recently been restored, and may have caused a large expenditure. That would tend to raise the average in a most unfair manner. What I propose, therefore, to take is the average amount of church rates upon the property liable to church rates in England and Wales, during a period of twenty years. I have made the calculation, but I am sure the House will not desire me at present to go into the figures. I will therefore merely state that the average amount of church rates is twopence in the pound; and twopence in the pound I would reserve out of the value of real property liable to church rates to the use of the parishioners for the purposes of church rate. These are some of the considerations upon which I have based my plan. It has been admitted in the Resolutions submitted to the House by my right hon. Friend the Member for Wiltshire, that the action of the Ecclesiastical Courts is either so lax or so expensive that it stands condemned. Besides, according to the evidence of Dr. Lushington, the assessments for church rates will not bear investigation, and that learned and respectable judge recommends, in his evidence before the Committee of the House of Lords, the removal of all trials relating to church rates from the Ecclesiastical Courts. Mr. Foster, the chairman of the Liberation Society, showed the inconvenience and irritating nature of the law under the present system of assessment and trial; and Mr. Gladding, an Independent, recommends the recovery of church rates before the justices, and the abolition of the jurisdiction of the Ecclesiastical Courts.

Perhaps the House will now allow me to recapitulate the principal objects of the Bill. The first principle of the Bill is to abolish all personal liability in respect of church rate. That is the largest advance, the widest concession, that has been proposed on the part of churchmen, in order to meet the objections that have been raised, with a view to the settlement of this question. The second object is to acknowledge the right of the parishioners to the portion of the gross value of real property in each parish, which, being beyond the rent paid to the landlord, has always been reserved for church rate. The third object is to exempt from the charge on real property, thus reserved to the use of parishioners elsewhere, all parishes in which no church rate has been levied for (say) seven years. The fourth object is to give to two-thirds of the inhabitants of such parishes power to claim, that this exemption shall be cancelled and cease. The fifth is to provide for the eventual commutation of the charge thus substituted for church rate, into an endowment for each parish, the proceeds of which shall be applicable to purposes of church rate; on the creation of which endowment the charge substituted for church rate shall cease. Now, Sir, if the House consents that these principles of this Bill shall be submitted to a Select Committee, they will consider these proposals in detail, and make such recommendations to the House as may appear in their judgment to be most desirable. I may be told that in this case legislation will be impossible until next year. I admit that it would be impossible. But what I respectfully ask the House to do is this, to prove that it is ready to deal practically with the grievance, and yet so to deal with it as not to despoil the parishioners, throughout England and Wales, of their right to a property which they have always possessed. That, Sir, is what I ask the House to do. I will not enter into the question of the machinery of the Bill, I know that it is imperfect. Some clauses have been suggested to me which are essential: these may be considered in the Committee. But I do ask this House to prove, by considering this practical scheme, by testing whether it deserves the recommendation and the authority of a Select Committee, that the House will not allow another year to pass without a practical attempt to deal with this long-experienced grievance. In recognising the fact that the church rate is a charge upon property, there are two objects which must not be lost sight of. The first is to preserve the functions of the vestries for the disposal of the means reserved to the parishioners for the purposes of church rate, but without investing them with an uncontrolled and irresponsible power of taxing the landlords. The second is, not to place the landlords in possession of the churches, while preventing their pocketing that portion of the value of real property which never belonged to them. To allow a single landlord, where there may be but one in a parish, to take possession of the parish church, when he may be non-resident or not a member of the Church of England, would be absurd; to allow him to manage it according to his own fancy, if resident, would be unsafe. What can be safely done is, having secured to the parishioners their ancient right in the value of property, to fix the amount in accordance, as nearly as may be, with the average amount it has represented, and then to leave to the vestries their original, legitimate, and appropriate functions—namely, the disposal of the fund thus re-established for the purposes of church rate for the benefit of the parishioners generally.

I feel, Sir, that I have trespassed too long on the attention of the House. My scheme is based on this understanding—that speaking of the great majority of this House, I believe few Members wish to disturb the Established Church. I believe they are but few who wish to break down the great Christian organization which has been handed down to us, I may say, from apostolic times; I believe that hon. Members generally respect the Church of England as the purest branch of the Church Catholic. It is in accordance with the long-established organization of the Catholic Church, that the provision for the services and for the maintenance of the fabric in which the congregations worship should not be left to chance—should not be left to the various and varying circumstances, inclinations, or conveniences of a small local population, as these may chance from time to time, but that a national provision should be preserved, not for the rich, but for the benefit of the poor. The Legislature of this country, as of all civilized States, has recognised the great fact, of which the whole history of mankind proves the existence, that religion is a necessity of man. There scarcely is an instance of a people so barbarous, so idiotic, as not to have recognised this craving for religion. That craving is the primary evidence of the immortality of the soul. It is a recognition of a future state, which is inherent in man's nature; it is not of earth, earthy, but proves the composite nature of man as an immortal being. Sir, the Legislature of this country will never, I trust, be tempted to ignore the fact, that religion is a necessity of man; and if it is so, shall we in this wealthy country consider it prudent or politic, to leave the poorer classes, the great producers of its wealth, witnesses of our luxury, but so far as this great necessity is concerned, themselves unprovided, destitute of spiritual provision? Look to the history of this country, and you will find that the Church, whether in its primitive form before the Norman Conquest, whether in its Papal form during the Mediæval period, whether in its present form since the Reformation, has ever been the prime element for securing the freedom and happiness of the community. Sir, it is with the view to re-establishing some secure provision for the maintenance of the fabrics and services of the Church, and at the same time to removing the present liability, which has for so many years been considered a grievance, that I ask the House and the Government to allow this Bill to be read a second time, hoping that the House will have the goodness to appoint a Select Committee to decide upon the machinery and the details by which these objects may be eventually carried into effect by law, after a due consideration of all the circumstances of the case.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Alderman SIDNEY said, that he conceived that there were errors in the measure of such a fatal character that it became the duty of the House to reject the Motion for the second reading. He doubted very much whether half the inhabitants of the country were not exempted from the payment of church rates, and must say that in his opinion it was not a sound mode of legislation to continue, as was proposed, the tax on one portion of property and one class of persons to the exclusion of others. The machinery, he might add, which was provided to carry the Bill into effect, appeared to him to be highly objectionable, and for those reasons he should move that it be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question proposed, "That the word 'now' stand part of the Question."

Mr. HEYGATE begged to express a hope that his hon. Friend the Member for North Warwickshire (Mr. Newdegate) would, in the interest of the cause which he advocated, withdraw his Bill with the view of moving for a Select Committee early next Session to consider the principle which it involved.

Sir GEORGE GREY said, the Bill made an important change in the law with regard to church rates. The Bill recognised parishes in which there had been no church rate for seven years, and provided that those parishes should be exempt from the rate. He thought, that if anything were done short of abolishing church rates altogether, it was essential to recognise by law the exemption from church rates of parishes where practically there had been no church rate for a long period Then the Bill went on to provide that in other parishes, in place of church rates there should be a perpetual fixed charge of 2*d.* in the pound. He was not going to discuss these proposed changes, but he mentioned them to show the importance of them. He trusted that the hon. Member would consent to let the Bill stand over until next Session. It was quite impossible during the short time remaining of the present Session that a Select Committee could take these matters into consideration.

Mr. NEWDEGATE begged to thank the House for the attention with which they had listened to his statement, and hoped that they would allow him to reprint his Bill, with such Amendments as would render it more in accordance with the suggestions of hon. Members for whose opinions he entertained the highest respect. He should, therefore, ask leave to withdraw the Bill for the present, with a view of having it presented in an amended form in the next Session of Parliament.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

ROMAN CATHOLIC PRISONERS BILL.

[BILL NO. 140.] SECOND READING.

Order for Second Reading Read.

Mr. HENNESSY said, he rose to move the second reading of this Bill, and observed that the Act 4 *Geo.* IV., which regulated the treatment of Roman Catholic prisoners, drew a distinction between them and those prisoners who happened to belong to the Church of England. That distinction pressed very severely on the former, and that the House might see that the grievance which he sought to obviate by means of the Bill was not one of a merely theoretical character, he would take the liberty of quoting from Returns which had been laid on the table, and which gave the denominations to which those confined in the various gaols throughout England and Wales belonged. Turning to page four of the Return he found that in Brixton prison the number of convicts belonging to the Church of England was 350; to the Church of Rome, 234; while the Dissenters were 11, the Wesleyans 11; there being five prisoners with no religion, four Baptists, and three members of the Church of Scotland. Taking the next six county prisons in succession, he found that in the first, the Lancaster county gaol, there were 52 prisoners who were members of the Church of England, 30 Roman Catholics, 4 Wesleyan Methodists, and one or two belonging to other Dissenting bodies; while in the borough gaol of Kirkdale there were 304 Protestants, 141 Roman Catholics, and 8 Dissenters. Next came the house of correction, Preston, in which there were 210 Protestants, and 77 Roman Catholics; the numbers in the New Bailey prison, Salford, being 244 Protestants, and 147 Roman Catholics; in the borough gaol, Liverpool, 361 Protestants, and 485 Roman Catholics; and in the city gaol, Manchester, 293 Protestants, and 207 Roman Catholics, besides a few who were members in each instance of Dissenting bodies. It appeared, moreover, from the same Return, that in the house of correction, Westminster, the number of prisoners of the Church of England persuasion was 341, while the Roman Catholics numbered 183. Having mentioned these facts, he had, he thought, said sufficient to show that the grievance for which he desired to provide a remedy was one of a practical character. The Return from which he had already quoted, however, enabled him to tell the House the number of prisoners of each denomination who had been visited by a minister of their own Church, and he found that in the borough gaol of Liverpool only 36 out of 485 Roman Catholics had been so visited during the previous three months; while in the city gaol, Manchester, which contained 207 Roman Catholic prisoners, the number who had received in the same time the visits of a Roman Catholic clergyman amounted only to three. It appeared also, that although in the Carlow county gaol there were no prisoners belonging to the Established Church, and no Presbyterians, yet there was attached to the gaol a Protestant chaplain, who received £30 per annum; while in connection with the Galway town gaol a similar state of things prevailed. The sum total, he might add, of the prisoners in England and Wales who were members of the Roman Catholic Church amounted, he found, to 14 per cent. Now it was true that the law provided that every prisoner might, on making a special request to that effect, receive the visits of a clergyman of his own persuasion; but it did not allow a Roman Catholic priest, who might attend a gaol at the special request of one of the inmates, to assemble together two or more of the prisoners for the purpose of giving them religious instruction, so that in the case of 136 Roman Catholics who had received the visits of a priest in Liverpool, spiritual aid was obliged to be administered to each separately. Now, the Bill which he had the honour to submit to the House, and which sought to make it lawful that a number of prisoners might be assembled together under these circumstances, he believed, met so far with the unanimous approval of the visiting justices, as well as of the prison authorities, as was demonstrated by correspondence on the subject which he held in his hand. The portion of his Bill, therefore, which bore upon that point, had the sanction of those to whose views hon. Members would be disposed to attach considerable weight. He found that in some gaols—for example, in the Stafford county gaol—the severity of the law was mitigated, and that a Roman Catholic priest was allowed to visit the 94 members of that persuasion who were prisoners there when he felt disposed. Now, what he sought to effect was that that privilege which was granted by the visiting justices in some instances in violation of the law, should obtain legislative sanction, and that they should thus be enabled to do without difficulty that which they were anxious to accomplish. He might add that he was prepared to strike out the first clause, which related to the keeping of a register, if it was objected to. The second clause, in which provision was made that the visiting justices should appoint a Roman Catholic chaplain in case there were a certain number of prisoners in the gaol, he proposed should operate so far only as to secure such an appointment being made in those instances in which it was really called for; as for example, when the number of such persons amounted to twelve or twenty. Neither was it his intention to insist that the clergyman appointed by the visiting justices should necessarily be one nominated by the bishop of the district in which the appointment was made. The Bill did not contain a clause providing that a salary should be given to the Roman Catholic chaplain, while, at the same time, he thought it would be but right that those who performed the duties of that office should receive some remuneration for their services, and that view he should be prepared to support in Committee. So far as the principle of the Bill was concerned, he had, he might add, the support of the noble Lord at the head of the Government, who, when Home Secretary in 1853, had said—

> "The Catholic prisoner ought to be equally sure of receiving religious instruction from a clergyman of his own creed, and equally sure that the testimony with regard to his conduct in prison, so far as his conduct depended on his religious instruction, should be given by an instructor of his own religion, and not

be dependent upon the opinion of one who was hostile to his creed." [3 *Hansard*, cxxix., 1569.]

Again, on the 29th of April in the present year the noble Lord said—

> "The only principle which he could see involved in the Vote was the principle of justice; for he had always felt that it was most unjust that persons who were by the law placed in seclusion should be deprived of the spiritual attendance of ministers of their own faith. When a person was at large, he might go to his own church; they were not then bound to supply his spiritual wants; but when they confined him within four walls, they were bound, not only in justice, but as a matter of public expediency, to give to the Roman Catholic the benefit of religious instruction and the same chance of reformation which they gave to the Protestant." [3 *Hansard*, clxvi., 1089.]

He felt confident, that if hon. Members would look into the subject, they would agree with the noble Lord in the principle he had laid down. That principle had already been carried into effect in the prisons in Ireland, and in the military and convict prisons in this country. The House had recently given a Vote for Roman Catholic Chaplains, which was going further than he proposed to go on the present occasion, and he believed the Home Secretary was now engaged in framing regulations for convict prisons which would answer all the purposes of his Bill. He appealed to the House on behalf of a poor and criminal class, to whose criminality the law added suffering beyond the demands of justice. He hoped his appeal would not be made in vain.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. WHALLEY said, that the hon. and learned Member (Mr. Hennessy) had not accounted for the singular fact that only a small number of those prisoners who were registered as Roman Catholics desired the ministration of their priests. It would appear that no sooner did Roman Catholics get the walls of a prison placed between them and their priests than they seemed to be actuated by a wish to avail themselves of the services of Protestant chaplains and Scripture readers. The Returns cited by the hon. and learned Member showed that only a very few Roman Catholic prisoners desired to be visited by their priests, and he therefore asked the House not to force an unfortunate class of persons to receive what he

supposed he must call religious instruction against their will. Such a species of legislation would be contrary to the principles of civil and religious liberty. He believed that this Bill was not a Bill on behalf of Roman Catholic prisoners, but a Bill on behalf of Roman Catholic priests; and as such it dealt, not with a religious, but with an ecclesiastical question. The priests desired to keep Roman Catholic prisoners under their subjection, but he trusted the House would do nothing to aid them in the accomplishment of that object. All attempts to conciliate, under the name of toleration, not the Roman Catholic people, but the Roman Catholic priests, had entirely failed, and had led only to increased demands. He had in his possession a statement by a military officer that such had been the encouragement given to priests in the army that in case of any question involving Roman Catholic feeling, not he and his brother officers, but the priests, would have the control of our soldiers. When the system of conciliation began, the Irish constabulary cost £440,000 a year; it now cost something like £780,000. He defied any hon. Gentleman to show that further attempts should be made, by grants or otherwise, to conciliate that great intellectual organization which, under the pretence of religion, endeavoured to govern the policy of this country. The second clause of the present Bill proposed to allow the Roman Catholic bishops to appoint Roman Catholic chaplains. According to the Ecclesiastical Titles Act, Roman Catholic bishops were not recognised in this country, and hence the proposal of the hon. and learned Member could not be entertained for a moment. The Roman Catholic Church was represented by two sets of men, holding two sets of principles. One class, to whom he did not object, went forth as religious teachers; the other consisted of members of that great intellectual organization to which he had just referred, and were retained in the service of the Church solely on account of their ability to combine and operate for political purposes. If the Bill were carried as it stood, the Roman Catholic bishops might appoint as chaplains persons belonging to this order—men who had no religion. The preamble of the Bill was a direct and deliberate insult to the constitution of this country. It set forth the strange doctrine that the religious and moral instruction given in prisons should be based upon and be in conformity with the religious convictions of the prisoners. The religious convictions of prisoners might be of the most varied description. There were persons who deemed it part of their religion to commit murder, and he wished to know whether, if Thugs were to be found in our prisons, we were to be obliged to instruct them according to their religious convictions. The Mormons were in favour of a plurality of wives. Were we to aid in the propagation of that doctrine, if not actually to allow Mormon prisoners the society of their wives? He contended, in short, that the preamble of the Bill, while ignoring that simple standard of Christianity, the Bible, proclaimed to the country that religious truth was a matter of no consequence at all.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

MR. HENLEY said, that he entirely disagreed with almost every word that had fallen from the hon. Gentleman who had just sat down. The question before the House, which was one of undoubted difficulty, had been brought forward in so able and temperate a manner, and with so many and such strong arguments, that he was anxious to state at once why he was unable to assent to the Bill. He admitted that a grievance had not only been stated, but clearly shown to exist, and he thought a remedy ought to be provided; but he had told the hon. and learned Member privately that the provisions of his Bill were very objectionable, and that on that account it would be impossible for him to vote for the second reading. At the same time, considering that there were in this country eight prisons in which there were above 100 Roman Catholic prisoners, while in many others the number ranged above 50, he thought it was clear that something should be done. He submitted that a remedy should be found by the Government, who ought to consider the whole question, and bring forward upon their own responsibility a measure which, while steering clear of the many difficulties that surrounded the subject, would do substantial justice to the Roman Catholic portion of the community. The clause in the present Bill which gave the nomination of Roman Catholic chaplains to the Roman Catholic bishops was peculiarly objectionable. He did not say that it actually amounted to a violation of the Ecclesiastical Titles Act, but it "sailed far too near the wind to be pleasant." Our own chaplains were appointed by the visiting justices, and the Bishops of the Established Church had no more to do with them than he had; indeed, not so much, because he happened to be a visiting justice. The hon. Member for Peterborough (Mr. Whalley) had used a most extraordinary argument—namely, that no case had been made out by the author of the Bill, because the great bulk of Roman Catholic prisoners did not want to see a priest. Certainly, a thief was not the most likely man to desire to be reformed, and the hon. Member might as well have said that criminals did not wish to be imprisoned for their misdeeds. But our object was to reform as well as to punish; and if the prisoners in our gaols were allowed to refuse the visits of clergymen, and to shut themselves up with their own evil thoughts, the odds were that, instead of reforming them, we should return them to society more hardened then before. It had occurred to him that the best way of dealing with the matter, so as to steer clear of all the difficulties which beset it in an ecclesiastical point of view, would be to give the visiting justices power under an Act of Parliament, in cases were necessity existed, to provide and pay for the religious instruction of all prisoners not belonging to the Established Church, whether Roman Catholics or Protestant Dissenters. He advised the hon. and learned Gentleman to withdraw his Bill, and to leave the matter in the hands of the Government.

SIR GEORGE GREY begged to express his entire concurrence in the general opinions stated by the right hon. Gentleman (Mr. Henley). Those opinions were not now put before the House for the first time. In fact, the right hon. Gentleman had substantially repeated to-day the statement which he himself addressed to the House on a recent occasion, when he induced the House to grant a sum of money to be placed at the disposal of the Government to enable them to provide for the attendance of Roman Catholic priests in convict prisons. He based that proposal on the large number of Roman Catholic prisoners confined in convict prisons, on the absence of any provision for their religious instruction, and on the practical result in the cases of Dartmoor and Portland—namely, that the attendance of the priests, who lived at a distance, was most irregular. He was happy to say that arrangements were now in progress by which that grievance would be removed in convict prisons. It had been truly said that this subject was attended with great difficulty, and, with an anxious desire to remove what he admitted to be a practical grievance, he regretted to say that the provisions of the present Bill were such as would render him unable to vote for the second reading. There was a distinction, which had not been adverted to, between the convict prisons and the county and borough prisons. There was a power to appoint chaplains to convict prisons, but their duties were not strictly defined by law. In the borough and county prisons the duties of the chaplain were very accurately defined ; one of those duties being that the chaplain should visit every prisoner, whether Protestant or Roman Catholic ; and if the prisoners were under separate punishment, the chaplain was obliged to visit them daily. Every Roman Catholic prisoner might, at his own special request, see a priest ; and if one was within reach, no doubt a priest would be found willing to attend, and the law gave to that priest a right to attend that prisoner. But it was impossible to look at the return on the table without seeing, that although such was the provision of the law, it had very little practical operation. In Liverpool gaol, for instance, there were above 500 Roman Catholic prisoners, but only between thirty and forty had requested to see a priest. The hon. Gentleman the Member for Peterborough (Mr. Whalley) said they should exclude priests from access to Roman Catholic prisoners, because they would inculcate error, and that only truth should be inculcated. But the law did not go to that length. It expressly authorized the attendance of Roman Catholic priests where a prisoner desired it. That doctrine was not held with regard to the army, and the cases, to a certain extent, were analogous. Both in the army and in military prisons ample provision was made for the religious instruction of Roman Catholics. The principle, he thought, should be adopted in regard to gaols generally. In a matter of so much difficulty he was unwilling to pledge himself to a Bill on the subject. He felt, however, that it was one which deserved the consideration of the Government. He had given a good deal of consideration to it, and he trusted he might be able to submit some measure founded on the principle stated by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley)—namely, giving power to justices to secure the attendance of ministers of other persuasions than the Established Church—not confining the relief to the Roman Catholics—and, according to the circumstances of each case, to do what was now done in convict prisons ; not compelling the attendance of persons of any denomination on the minister of that denomination but giving them the fullest opportunity of doing so. With regard to the provisions of this Bill, he must say that they were open to very serious objection. The hon. and learned Gentleman was ready to make extensive alterations, but he was still unprepared to assent to the second reading. In the case of convict prisons, chaplains were appointed by the Secretary of State, and in county and borough prisons by justices. Not only had they the power of appointment, but of removal, in the case of chaplains as of all other prison officers. It was essential to the proper exercise of their responsibility that the law should not take away from them that authority. Under this Bill, however, the Roman Catholic bishop was to have the power of appointment. It was true a clergyman of the Established Church could not officiate legally within any diocese without the licence of his Bishop ; but the Bishop was not able to nominate, nor could he remove except by withdrawing his licence. He had no power to interfere with the discretion of the justices in the removal of a chaplain. The third clause, however, of this Bill gave the Roman Catholic Bishop absolute power to remove the priest. There were other objections to the Bill, but he did not wish to go into them now. The hon. and learned Gentleman had asked them to agree to the preamble of the Bill ; but they must look to the provisions of a Bill, and therefore, while believing that a grievance existed, he could not, looking at the objections he had stated, give his assent to the second reading. He recommended the hon. and learned Gentleman to withdraw the Bill.

Mr. HENNESSY said, that he cordially accepted the intimation given him by the right hon. Baronet (Sir George Grey) that the question would be considered by the Government, with the view, probably, to the introduction of an efficacious measure on the subject. He should therefore, with the leave of the House, withdraw his Bill.

Mr. NEWDEGATE said, he had to present a petition from the visiting magistrates of the gaol of Birmingham, to the effect that there was a large number of Roman Catholic prisoners in that gaol, and that the present law afforded them ample opportunity for the exercise of their religion and the reception of religious instruction from their own pastors. They prayed that the House would not assent to the Bill, as they believed that its effect would inevitably be to restrict the religious freedom of the prisoners themselves. He was deeply concerned at what he had just heard. It appeared to him evident that both his right hon. Friend the Member for Oxfordshire (Mr. Henley) and the right hon. Baronet the Secretary for the Home Department were determined to ignore the most important circumstances connected with the Roman Catholic community throughout the world — circumstances which were exemplified in the recent movements of the priesthood of that Church. For all political purposes the Church of Rome had incorporated itself with the Jesuit organization, which was essentially political. At the recent meeting of the Roman Catholic Bishops at Rome the more moderate opinions which were once held to be consistent with the original organization of the Catholic Church were cast aside, and Ultramontane principles were triumphant. The head of the Ultramontane party in this kingdom was Cardinal Wiseman, who was their leader and amanuensis, and that Prelate maintained his position as the exponent of the Papal aggression act, which it was the intention of the Ecclesiastical Titles Act to forbid. ["Question!"] This was the question; for the subject was touched upon in the Bill before the House. There was an attempt to recognize the official power of the Roman Catholic Bishops, which was condemned by the Ecclesiastical Titles Act. He begged to call the attention of the House to this, that the intention to organize the Roman Catholic community in this country for political purposes was the avowed object of Cardinal Wiseman; and also to this fact, that according to the Roman Catholic canon law, as expressed in the petition of the priests of the northern district, the powers conferred upon Cardinal Wiseman by the rescript of 1850 enabled him to convene synods of the Roman Catholic hierarchy, in which, as Cardinal, he was supreme, and thereby to annul the independence which had previously been enjoyed by the Roman Catholic priests and laity in this country. If the Bill were passed, the nomination of the chaplains would not rest with the Roman Catholic Bishops, as independent ecclesiastical authorities, but would be practically exercised by the dictation of Cardinal Wiseman, who had intruded himself into these realms as a temporal officer of the Roman Pontiff. In a lecture delivered in 1850, in order to explain the character of the Mission with which he was invested by the rescript of 1850, Cardinal Wiseman said, "There is at present a religious conflict going on in this country. The Catholics here are not and never have been" —which he (Mr. Newdegate) begged to deny—"merely a collection of persons holding certain opinions in common, but a systematized, organized, religious community, representing here the Catholic Church" He would not trouble the House with further extracts. But unpleasant as the recognition of that fact might be to those who would support the political objects of this organization, he begged to refer them to the debate of June 12, 1854, for further proof of this—that Cardinal Wiseman distinctly explained that he was sent here to organize the Roman Catholics as a community separate from the remainder of Her Majesty's subjects. He begged to call the attention of the House to the fact that by a document recently issued in Ireland by Legate Cullen, it was patent to every person possessed of ordinary capacity that this organization was to affect Roman Catholics in matters of a temporal as well as of an ecclesiastical and spiritual character. If, therefore, that House had any regard for the peace of the country, they would not ignore the fact that they had to deal with a foreign political organization established here, and ought not to allow their benevolent feelings to lead them to the erroneous belief that by giving Roman Catholic priests, subject to this political organization, official access to the gaols of this country, they would be securing either the religious freedom or the effectual moral reformation of the prisoners, but that they would be affording means for the exercise of a temporal power notoriously adverse to the whole constitution of the country and the freedom which it generates. He was sorry to trespass on the attention of the House; but when he heard it said that that organization was calculated to produce the reformation of our prisoners, he was forced to advert to the fact that the proportion of criminals in Ireland, where that organization had most power, was enormously greater than it was in any other part of Her Majesty's dominions. If reference were made to the Return submitted by the Home Secretary, it would be found that the Roman Catholic criminals in our gaols constituted a number larger out of all proportion to the actual number of the Roman Catholic community than did the prisoners of any other denomination. He trusted that the hon. Member (Mr. Hennessy) would not withdraw his Motion; for he hoped that the House would emphatically reject the Bill, and that its proposals, which were specific and deliberate, would meet with a specific and determined rejection.

MR. WHALLEY said, that he must decline to withdraw his Amendment.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.* Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

SALE OF BEER, &c. BILL—[BILL No. 159.]

SECOND READING.

Order for Second Reading read.

MR. W. E. FORSTER said, that he rose for the purpose of moving the second reading of this Bill. The object of it was to put the sale of beer that was consumed on the premises of the seller on the same footing as spirits when sold and consumed on the premises, by depriving the publican of the right to recover a debt under 20*s.* for beer consumed on the premises. The House had consented to an alteration of the old Tippling Act under which no debt could be recovered for spirits sold on the premises. That Act was altered in the present Session of Parliament by the House of Commons, and the Bill making the alteration was now before the House of Lords. If that Bill became law, debts due for spirits supplied to the buyer at his own house could be recovered in the courts of law. He did not propose to go quite so far as that with regard to beer. His Bill was limited to the recovery of debts for beer or cider actually consumed on the premises of the beerseller. It was notorious that great mischief and misery was occasioned in consequence of poor men running up a score in the public-houses. He took a glass of beer himself, and he had no objection that the poor man should have his glass of beer likewise. The alteration he proposed would not have the effect of depriving him of his glass of beer. The only enactment he wanted was that the seller should not be able to make use of the machinery of the law to recover debts due for beer under certain circumstances. His object was to take away from the seller of beer the temptation to persuade the poor man to continue to take it and to run up a score with him after the poor man had lost the use of his discretion as to what was good for him to take. The County Court Judges considered that the present working of the law produced great evil, and that nothing was more likely to check drunkenness and to promote morals than the small provision which he now proposed to the House. He had also received letters from the County Court bailiffs detailing the hardships which were produced by the present state of the law. It frequently happened that a poor man, when half intoxicated, ran up a score for beer with a particular seller, whereby the latter obtained complete control over him—threatening him with legal proceedings if he went to any other beerseller, or did any thing that was displeasing to him.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. ROEBUCK said, that he rose to move that the Bill be read a second time that day three months. This was one of those measures suggested by sour-minded people, under the belief that they were going to make men good by Act of Parliament. His notion was, if they would mind their own business, and allow other people to mind theirs, they would do much better. The Bill was in reality a rich man's Bill. How would it affect many of the working men among his constituents? Receiving their wages fortnightly or every three weeks, they were accustomed to have their dinner at the nearest public-house, where they had a pint of beer to it, which, if this Bill passed, they would not have. The hon. Member for Bradford (Mr. W. E. Forster) said he liked a glass of beer himself, and that was the sort of charity which he manifested. What he liked himself was all very well; but he was a rich man—he did not want the law to take care of his liberty; but he would step forward, and, in the name of law, take care of the poor man. The Bill would only prevent the honest, industrious working man from getting his pint of beer to his dinner because he might not have money every day in his pocket to pay for it.

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

MR. W. WILLIAMS said, that it was an extraordinary thing that Session after Session the House should be interfering with the business of publicans. The Bill was not directed against the richer classes, but against the poorer classes of the people; there being thousands of working men who in the metropolis alone take their dinners in the public-houses near their places of employment. If such a Bill were to pass, the working man would frequently have to go without his beer, and without the means of cooking his dinner.

MR. HUNT said, that he would support the Bill, considering that it would be of benefit to the poor man, and would not injuriously affect him.

MR. HALIBURTON said, he thought the Bill was based on a very great fallacy—namely, that spirituous liquors and beer were in the same category, whereas they were totally different things. The poor man might drink almost a barrel of honest beer without being intoxicated. It was the noxious drugs put into his liquor by the publican, and not the beer itself, which produced intoxication. The working man required his glass of beer with his dinner to support his strength, and it would be most unjust to deprive him of the power of getting it on credit until he could pay for it with his wages.

MR. BARROW said, that he believed that the honest hard-working man would not be affected in any shape by this Bill; but it would protect those who had not sufficient strength of mind to resist the temptation put in their way by the publican, who wished to make them run up an ale score and then to sue them in the County Court if they did not pay it. Many men were thus induced to drink on after they had lost all control over themselves, and were imprisoned because they could not pay for it, their families being meanwhile left to starve. An increasing number of men were brought before him as a magistrate who had indulged in intoxication in beer-houses, where no spirits were sold; and he was therefore anxious to take away the facilities enjoyed by the keeper of those places for seducing such persons into extravagance and intemperance.

MR. CONINGHAM begged to differ from the hon. and learned Member for Sheffield, who thought the Bill a rich man's Bill, and not a poor man's. If the opposition to such a measure could be analysed, it would be found to proceed mostly from the publican interest. He had been much struck by a remark which appeared in *The Times* the other day in regard to the debts of honour incurred at a recent horse-race, and which could not be recovered by any legal process. The statement there made was that hardly 1 per cent of those debts remained unpaid after what was called the settling day. The Bill would not prevent the honest working man getting credit for his pint of beer, while it would discourage intemperance.

MR. ADDERLEY said, that he would cordially support the second reading of the Bill, at the risk of being classed in the category of "sour-minded" persons. Probably the hon. and learned Member for Sheffield (Mr. Roebuck) thought all the opponents of the measure were, like himself, gifted with suavity of disposition and genial-mindedness. He believed that any one who had the character of an honest working man would be certain to get credit till the end of the week for the beer he consumed at his daily meal; and, on the other hand, in applying a stringent check to the large class to whom the publican could not give trust, the Bill would have a wholesome effect rather than otherwise.

MR. BAINES said, that he had been a total abstainer for many years, and he wished to give his personal experience on this subject. He had attended many temperance meetings, and nothing could be more pleasing than the delightful statements which one heard, and the virtue which was displayed, at them. The accounts given by some of these persons of their former degradation were enough to harrow the feelings and freeze the blood. The Bill of the hon. Member for Bradford (Mr. W. E. Forster) was calculated to prevent some of this mischief. It would promote virtue and morals, afford the means of educating multitudes of poor children, and save many a poor wife from being broken-hearted by the depravity of her husband.

MR. COLLINS was neither a teetotaller, like the hon. Member for Leeds (Mr. Baines), nor an advocate of the Permissive

Bill; but he thought that the principle of the Tippling Act, if extended to beer-houses, would prevent a vast amount of immorality in Yorkshire and other counties.

Sir GEORGE GREY said, that he would not oppose the second reading of this measure, although the motion made by the hon. Member for Bradford had certainly taken him by surprise, for he had understood yesterday that the hon. Gentlemen did not intend to proceed any further with the Bill this Session. If, however, they went into Committee, there were a few alterations which it would be necessary to introduce. The first clause went much beyond the Tippling Act, and the preamble would require some amendment. The sum of 20s. was rather a high amount to fix as the limit under which no debt should be recoverable unless it was *bonâ fide* contracted at one time, because it should be remembered that the price of beer and spirits was very different.

Mr. HENLEY said, that he would vote for the Bill with the greatest pleasure if he thought it would have the slightest effect in repressing intemperance; but, instead of doing that, he believed the measure would only enable people to thieve as well as to get drunk. As to a man drinking 20*s*. worth of beer at one time, he supposed that not even the hon. Member for Leeds (Mr. Baines), with all his experience, had ever met with a case of that kind. The Bill would encourage dishonest persons to go about from house to house drinking as much as they could get credit for, and never paying a single farthing. Public returns showed that drunkenness was on the decrease, and therefore the less they interfered with the trade the better.

Mr. SPOONER said, that he thought there was a great difference between the case of beer and that of spirits, and he was afraid this measure would prevent the labouring man who worked at a distance from his home from getting credit for the beer he took with his dinner.

Mr. H. A. BRUCE said, that as a rule, the working man did not drink beer with his meals. By far the larger quantity was consumed by him at the end of the week, the fortnight, or even the month, when he spent two or three days in continuous drinking, Undoubtedly no man ever achieved the feat of consuming 20*s*. worth of beer at one sitting; but they knew that after a certain number of pints the man's heart warmed, when he treated all his neighbours, and was encouraged to do so by the publican. To his certain knowledge many and many an ale score of more than 20*s*. had been thus run up at a single sitting.

Lord FERMOY said, that he was surprised at such a Bill as that before the House proceeding from one who professed to be a Free-trader. The measure would hold out a premium to the dishonest and designing publican to induce his customers to drink, and thus incur a liability on which they could be sued.

Mr. M'MAHON said, that to such an extent had the oppressive actions of the beersellers been carried, often ending in the imprisonment of their poor customers for debt, that almost every County Court Judge was in favour of a measure like the present to restrain them.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 93; Noes 90; Majority 3.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

LAW OF PROPERTY AMENDMENT BILL.

[BILL NO. 69.] CONSIDERATION.

Bill, as amended, *considered.*

Mr. HADFIELD begged to move the introduction of a clause to follow Clause 7. The effect of the Amendment was to repeal so much of 1 & 2 *Vict.*, c. 110, s. 21, and 18 *Vict.*, c. 15, ss. 1, 2, & 3, as regarded registration and re-registration of judgments, &c.

Clause *agreed to.*

Mr. WALPOLE said, he wished to move a clause to the effect that from and after the passing of the Act, no sequestration founded upon or for giving effect to any judgment for debt entered up against any beneficed clergyman should issue against the profits of his benefice or any portion thereof, provided that nothing contained in the Act should affect the provisions of the 24 & 25 *Vict.*, c. 134, in relation to sequestrations issued against the benefices of clergymen becoming bankrupts, nor the provisions of any other Act authorizing the issuing of sequestrations of the profits of benefices of clergymen for any special purpose.

Clause (Limitation of Sequestrations) *brought up*, and read 1°

MR. MALINS said, that he could not assent to the clause. As by the new Bankruptcy Act the person of an indebted clergyman was protected, so by the proposed clause would his property be unassailable. It could not be intended that clergymen should be permitted to contract debts with impunity. He had been informed by a tradesman in large business that the extension of the bankruptcy law to non-traders had proved a serious affair to him, as it frequently happened now, on applying for payment, he was met by an announcement that the creditors had been called together, and therefore he must be content with a certain percentage of the debt. Many clergymen without livings, who had incurred debts, had taken that course.

THE SOLICITOR GENERAL said, that the clause proposed to carry the existing law a step further, and to prevent a benefice from being taken in execution; but there was this dilemma — either it would or it would not be an obstacle to the recovery of debts owing by clergymen. If it would be, was the House prepared to encourage the non-payment of debts by clergymen with valuable benefices? If it would not be an obstacle, then how were creditors to obtain payment, except by driving a man into bankruptcy?

SIR FITZROY KELLY said, that he thought the clause would be useful in checking the contraction of debts and the granting of credit.

MR. AYRTON said, that he would support the clause, as likely to be beneficial to the community. A clergyman was a public servant, receiving certain payment for his services, and the half-pay of an officer might as well be seized as the income of a benefice.

SIR HUGH CAIRNS said, that he could not vote for the clause, which appeared to belong to the Clergy Relief Bill rather than to the measure before the House. If the revenue of a benefice was public property, how could the principle of the Bankrupt Act be reconciled with that doctrine? In the case of half-pay, the court consulted the office from which the pay was received as to how much should be set apart for the payment of the debts; but in the case of a benefice the court sequestrated the income. He did not believe the clause would operate beneficially towards clergymen in compelling them to have recourse to the Bankruptcy Court.

MR. HENLEY said, that he also thought the clause would be injurious to clergymen, as it would prevent them from raising loans by way of annuities.

Motion made, and Question, "That the said clause be now read a second time," put, and *negatived.*

SIR FRANCIS GOLDSMID said, he rose to move the omission of the first clause, which would unsettle the established practice with respect to notice.

Further Consideration *postponed* till *Wednesday* 23rd July.

House adjourned at six minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 10, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Metropolis Local Management Acts Amendment; Turnpike Trusts Arrangements; Mutual Surrender of Criminals (Denmark); Gunpowder Act Amendment.

2ª Juries; Petroleum; Chancery Regulation (Ireland); Sheep (Ireland); West India Incumbered Estates Acts Amendment.

3ª Sale of Spirits; Night Poaching Prevention.

LEGITIMACY AND MARRIAGE BILL.

QUESTION.

LORD RAVENSWORTH having *presented* certain Petitions in favour of legalzing marriage with a deceased wife's sister,

THE MARQUESS OF CLANRICARDE said, he would take that opportunity of asking his noble and learned Friend (Lord Brougham) if the Legitimacy and Marriage Bill was to be dropped, as it was, of great importance?

LORD BROUGHAM entirely agreed with his noble Friend as to the importance of the Bill, which was necessary to remove the gross anomaly of the law as it now stood, by which divorce was triable by jury, but marriage not; and in Scotland marriage, legitimacy, and all other actions of declarator were tried by jury, and in England not, though we had borrowed the action of declarator from Scotland. It was no fault of his if this gross enormity continued; but there were reasons for not passing the Bill this Session, and he should at the earliest period of the next reintroduce it, if it were not taken up in the other

House, in which case he should give any such measure his best support.

DEPARTMENT OF JUSTICE.

Lord BROUGHAM asked the noble Earl the Lord President what were the intentions of Her Majesty's Government with regard to the creation of a Department of Justice?

Earl GRANVILLE was understood to say that the subject was a very large one, and he was not at that moment prepared to answer the noble Lord's question. He would endeavour to give an answer in a few days.

Lord BROUGHAM said, that as he was obliged to leave town immediately, he feared others rather than himself would benefit by the information.

SALMON FISHERIES (SCOTLAND) BILL.

[BILL NO. 112.] COMMITTEE.

House in Committee (according to Order.)

Clauses 1 to 5 *agreed to.*

Clause 6 (Duties of Commissioners).

The Duke of RICHMOND *moved* to leave out the 4th paragraph, which proposed to authorize the Commissioners to fix a point on each river above which the proprietors should be considered upper proprietors, and below it lower proprietors, on the ground that it would create antagonism between the upper and lower proprietors. If the paragraph was left out, he intended to move other words in its stead.

Lord STANLEY of ALDERLEY said, that if the paragraph were left out, and the noble Duke's Amendment substituted for it, the essence of the Bill would be destroyed.

On Question, Whether the said Paragraph shall stand Part of the Clause? their Lordships *divided*:—Contents 63; Not-Contents 25: Majority 38.

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Westbury, L. (*L. Chancellor.*)

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Newcastle, D.
Somerset, D.

Breadalbane, M.

Airlie, E. [*Teller.*]
Camperdown, E. [*Teller.*]
Clarendon, E.
De Grey, E.
Graham, E. (*D. Montrose.*)
Granville, E.
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Harrowby, E.
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Clancarty, V. (*E. Clancarty.*)
Eversley, V.
Hutchinson, V. (*E. Donoughmore.*)
Stratford de Redcliffe, V.
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Abinger, L.
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Cranworth, L.
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Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
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Foley, L.
Fortescue, L. (*E. Fortescue.*)
Gardner, L.
Granard, L. (*E. Granard.*)
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NOT-CONTENTS.

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Chelmsford, L.
Churston, L.
Clarina, L.
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Congleton, L.
Conyers, L.
Gray, L.
Lilford, L.
Lovel and Holland, L. (*E. Egmont.*)
Polwarth, L.
Redesdale, L.
Stewart of Garlies, L. (*E. Galloway.*)

Clause *agreed to.*

Clause 7 (Annual and weekly Close-time).

The Duke of RICHMOND proposed that the annual close-time should be reduced from 180 to 164 days, an alteration which he said would be in accordance with a clause in the Report of the Committee which sat two years ago.

Lord STANLEY of ALDERLEY said, the period named in the Irish Act was 177 days. He would consent to making the time in the present Bill 168 days.

Clause *amended* accordingly.

Lord RAVENSWORTH *moved* an Amendment, that the weekly close-time should be from twelve at noon on Saturday until six o'clock on Monday morning, instead of commencing at six o'clock on Saturday afternoon. He believed, that if their Lordships agreed to this Amendment,

Lord Brougham

and thus lengthened the weekly close-time by six hours, it would have a most important effect in increasing the supply of salmon. It had been said that this was an anglers' Bill; but he must remind their Lordships that the interests of the angler were identical with those of the public in this matter; for if anglers were permitted to catch a few fish, they would do their best to protect the water. The angler took a few individual fish, whilst the nets swept them up by hundreds at the mouths of the rivers. His opinion was, that the main cause of the diminution of salmon in all the rivers of the kingdom was the illegitimate mode of fishing adopted at the mouths of rivers; and next, the poaching of the upper parts of rivers during close-time. If they proceeded much longer in this way, they would utterly destroy the breed. Experience showed the important effect which the lengthening of the close-time had upon the productiveness of a fishery. The value of the fish caught in the Tay in 1828 was £14,574. In 1852, in consequence of the Act of 1828 allowing the close-time to be from the 26th of August to the 11th of December, instead of from the 14th of September to the 1st of February, thus diminishing the close-time, the value fell to £7,973. In consequence, the proprietors themselves came to an agreement to limit the time for fishing, and in 1857 the value rose to £10,199. In 1858 a private Act restored the close-time to what it previously was, and the value became £14,085. The result was that salmon had never been so abundant as they were this year. He could not understand by what combination among fishmongers it happened that salmon was charged at the rate of 2*s.* 6*d.* a pound. His firm conviction was, that if their Lordships increased the annual and weekly close-time, the quantity of fish would so increase that many of the other regulations would become comparatively unimportant.

The Duke of RICHMOND opposed the Amendment. The noble Lord had begun by bewailing the almost extinction of the salmon, but he concluded by saying that he had never seen the fishmongers' shops so well supplied as they were now. For his own part, he thought that the weekly close-time ought rather to be diminished by three hours. The only effect of lengthening it was simply to transfer fish from the lower proprietors of the rivers to the upper.

Lord STANLEY of ALDERLEY thought the proposal in the clause was fair and reasonable, and he hoped the noble Lord would not press his Motion.

The Earl of MANSFIELD ridiculed the idea of the noble Duke, that fish were placed in rivers for the sole benefit of the lower proprietors. Those proprietors would, under any circumstances, have a great advantage—the advantage which belonged to first coming and being first served. The fish had to pass, as it were, through a series of turnpikes, and they might therefore think themselves lucky if one in a hundred ever reached the upper waters.

The Earl of MALMESBURY said, he did not believe that the Amendment would save a single salmon; it would merely take the fish out of Peter's pocket and put it into Paul's. At the same time there was no doubt that it would be a great boon to anglers, and he could not help thinking, therefore, that his noble Friend (Lord Ravensworth) had been saying one word for the fish and two for himself.

The Earl of CAMPERDOWN supported the clause.

Amendment *negatived.*

Clause *agreed to.*

Clauses 8, 9, and 10 *agreed to.*

Clause 11 (Penalties for Offences).

The Duke of RICHMOND proposed that the penalty provided in this clause for certain enumerated offences—namely, five pounds, should be made not less than two pounds, nor more than five pounds.

Lord STANLEY of ALDERLEY opposed the Amendment.

After a short conversation,

Amendment *negatived.*

Clause *agreed to.*

Clause 29 (Certain Provisions of Act 24 & 25 *Vict.*, c. 109, applied to Solway Firth).

The Earl of LONSDADE *moved* an Amendment to the effect that these provisions should come into operation in 1863 instead of 1865, as proposed by the clause.

Lord STANLEY of ALDERLEY opposed the Amendment.

The Earl of GALLOWAY, who was most indistinctly heard, was understood to say that he resided within 300 or 400 yards of the Solway, and from his windows he could see across the water, a distance of nearly fifty miles. He did not think that the principles applicable to rivers were at all applicable to this case. The clause would confiscate property which had been enjoyed for centuries. He disputed the accuracy of the statement that stake-nets had a pernicious effect upon rivers. Stake-nets had been in use for centuries; and if their use had been injurious, it must have been discovered long ago. The public would suffer from the operation of this clause, for they would be deprived of the best quality of fish—namely, that which was just out of salt water. When rain fell abundantly, streams became rivers, and then the fish got up the rivers in spite of all the obstructions. He admitted that there was a great diminution of salmon, but it was begging the question to say this was owing to the stake-nets. The greatest damage was done in the upper parts of the rivers. Many of the fish that went up were confined in immense numbers in ponds till they were out of season; and then those which were not poached were carried off in carts and waggons, and, being unfit for sale in this country, were manufactured and sent abroad. This was a serious matter.

Amendment *negatived.*

Clause *agreed to;* as was also Clause 30.

Clause 31 (This Act not to apply to River Tay, with certain Exceptions).

THE EARL OF CAMPERDOWN *moved* that the clause be struck out.

LORD STANLEY OF ALDERLEY assented.

Clause *disagreed to.*

Clause 32 (Repeal of Provisions inconsistent with this Act).

THE EARL OF DERBY *moved* that the clause be struck out.

LORD STANLEY OF ALDERLEY assented.

Clause *disagreed to.*

Further Amendments made: The Report thereof to be received on *Monday* next. [Bill No. 175.]

House adjourned at a quarter past Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 10, 1862.

MINUTES.]—PUBLIC BILLS.—1° Charity Commissioners' Jurisdiction; Queen's Prison Discontinuance (1862).

The Earl of Galloway

2° Highland Roads and Bridges; Divorce Court; Recovery of Poor Rates, &c.

3° Merchandise Marks; Inclosure (No. 2); Indemnity.

SIR WILLIAM ARMSTRONG'S GUNS.

QUESTION.

MR. BERNAL OSBORNE said, he rose to ask the Secretary of State for War, Whether the 12-ton gun of Sir William Armstrong's construction has burst during the recent experiments at Shoeburyness; also, how many Guns of the same description and weight have been ordered, and if any of a still larger size are to be constructed on Sir William Armstrong's principle?

SIR GEORGE LEWIS said, he had to state, in answer to the question of the hon. Gentleman, that on the occasion of the recent experiment at Shoeburyness the breech of the 12-ton gun was blown off, the cause of it being the unusual severity of the proof to which it was subjected, the charge of powder extending to 60, 70, 80, and 90 lbs. of powder. Not less than 162 rounds had been fired; and as the gun was merely an experimental one, it must be considered that it was exposed to a stronger trial than such guns were usually subjected to. The number of the guns of this size ordered was fourteen, and there were also a 600-pounder rifled gun and a 300-pounder smooth-bore in course of construction.

RECOGNITION OF THE KINGDOM OF ITALY.—QUESTION.

MR. CAVENDISH BENTINCK said, he would beg to ask the First Lord of the Treasury, Whether the recognition of the Kingdom of Italy by the Government of Russia is not conditional upon satisfactory assurances being given by the Government of Italy that the intentions of Italy towards the neighbouring States are pacific, and that Austria shall not be an object of aggression on the part of Italy; and whether such recognition is subject to any other and what conditions?

VISCOUNT PALMERSTON: Sir, as far as Her Majesty's Government are informed, the actual recognition of the Kingdom of Italy by the Emperor of Russia is entirely unconditional. At the same time, I believe, that there have passed between the two Governments, through the intermediate agency of France, communications and explanations on many points connected with Italian policy, which were satisfactory, and therefore an unconditional recognition was given.

OCCASIONAL LICENCES.

QUESTION.

MR. HUNT said, he wished to ask Mr. Chancellor of the Exchequer, If his attention has been called to the inconvenience resulting from the Provisons in the Customs and Inland Revenue Act of this Session with respect to occasional Licences in the case of Public Dinners and Assemblies; and if he intends to propose any relaxation of the Law with regard to the hours within which the sale of liquors in such cases may be allowed?

THE CHANCELLOR OF THE EXCHEQUER in reply said, that the Customs and Inland Revenue Act of this Session had created no new offence, and no new disability. Previous to the Passing of that Act the sale of liquors in the cases referred to was not permitted at any hours or under any circumstances whatever on unlicensed premises; and the effect of the Act was to permit it at certain times and under certain circumstances, and the consequence was a great relief. It might be expedient, perhaps, to extend that relief, for possibly at present it did not go far enough; but as far as the Act had gone, it had worked very well. Some time ago he saw a letter complaining that at a dinner which had taken place near Bristol there had been a great deal of drunkenness in consequence of the licence which had been granted. He had caused inquiries to be made by the Revenue officials, and he was informed that, so far from that being the case, the gathering, which was a Volunteer Rifle meeting, had been distinguished for order and decorum. He did not think any alteration could be made in the Act during the present Session, for some time ought to be given for full consideration. In the former state of the Law the officers of the Inland Revenue never deemed it their duty to prosecute for violations of the law in such cases as the hon. Gentleman referred to, because they knew that the law afforded no means of escape to the persons who laboured under the disability, nor would any prosecution be now instituted if the persons concerned should do all that the law enabled them to do to put themselves in the way of complying with its requirements.

INDIAN FINANCIAL STATEMENT.

OBSERVATIONS.

SIR CHARLES WOOD said, it might be convenient if he were to state that he would postpone his financial statement until Thursday next. Mr. Laing had come home, and was anxious to have an opportunity of making all necessary explanations, and in order that there might be time for that purpose he (Sir Charles Wood) had consented to defer his statement.

MR. VANSITTART said, he wished to inquire whether Mr. Laing's answer to the right hon. Gentleman's last Despatch will be laid upon the table before the discussion of the Indian Budget?

SIR CHARLES WOOD said, it was in order to enable Mr. Laing to give such explanations as were in his power that he was postponing his statement.

SIR STAFFORD NORTHCOTE said, he wished to know whether the information which Mr. Laing might give will be laid upon the table before the discussion.

SIR CHARLES WOOD: Yes, so far as I know. I have informed Mr. Laing that I have no objection to his making such explanations as he may think necessary, and there is no objection, so far as I know, to its being moved for and laid upon the table of the House.

FORTIFICATIONS (PROVISION FOR EXPENSES BILL)—[BILL No. 168.]

COMMITTEE.

Order for Committee read.
House in Committee.

Clause 1 (The sum of £1,200,000 to be issued out of the Consolidated Fund towards the Expenses after mentioned).

MR. BERNAL OSBORNE: Before going into this clause, I wish very earnestly to press upon the Committee the expediency of once more fully considering this whole plan; and if there is any inconvenience in my doing so, it arises from no fault of mine, but from the way in which this plan had been laid before us. If we had a regular estimate, it would have been possible to discuss it in a more satisfactory manner; but having none, I am obliged to go into the subject in the manner in which I now propose to do. Let the Committee for one moment consider what is this plan which we have before us. It is not the plan of the Commissioners, framed according to their Report in 1860. The original plan of the Commissioners recommended that five forts should be constructed on the shoals at Spithead. Her Majesty's Government gave their assent only to three forts at Spithead, and after referring back the Report on the Spithead forts to the Commission, who again reported most strongly in favour of them, they ended by suspending the construction of the forts altogether. Again, the original Report of the Commissioners contemplated the erection of eight forts on the Portsdown line of defence; but Her Majesty's Government thought proper to adopt only three. It is evident, therefore, that it is not for the original plan of the Commissioners, but for some plan of the noble Lord at the head of the Government, that we are called upon to incur an expense of £9,000,000, exclusive of the estimate of £1,200,000, on the present occasion. It has been stated, both in this House and in another place, that the Royal Commissioners have been treated very badly by certain Gentlemen in this House; but the Committee will be disposed to think that the ill-treatment, if there has been any, has proceeded from Her Majesty's Government, who, having encouraged them to draw up a detailed plan of fortifications, ended by throwing it over, and substituting an incomplete plan of their own. But what did the whole Report of the Commission proceed upon? Did they pretend to give actual security from invasion? By no means. They only pretended to furnish the means of protracting resistance. It will be necessary to read a paragraph in the original Report to make this clear. In page thirteen of the original Report the following passage occurs:—

> "If London cannot be rendered capable of resistance after the defeat of the army in the field, the dockyards and arsenals, if fortified, will become places of refuge, from which the defence of the country can be protracted and the means of resistance organized."

So that it appears this plan, if carried out, gives no effectual security against invasion; it merely comes to this, that by making these land defences at Portsdown Hill, Plymouth, and Dover, we shall be put in a position by which resistance may be "protracted." This Report, and this paragraph in particular, proceed on the assumption that the fleet has been defeated at sea; that the enemy have effected a landing, and defeated the army. That pre-supposes that the enemy is complete master of the Channel. That granted, what then will be the position, all this time, of the garrison at Portsmouth, for which we are about to build fortifications? It will be between two fires, the enemy's army attacking it on the land side, and the enemy's fleet shelling its position from the sea. Is not this one reason for pausing before assenting to this enormous and expensive system of fortifications at Portsdown Hill? It is admitted by naval and military authorities that, in the event of so great a calamity as a large force landing on the shores of England, the first point they would make for would be the metropolis, and by reference to the map it will be seen that it will not be necessary for an invading force to carry any of these positions at Portsmouth, Plymouth, or elsewhere; the invading army would of course mask them, and march straight to London. My complaint is not only that this system is costly, but that it is totally inadequate for the avowed object. It is not enough for the noble Lord at the head of the Government to say that with his plan we shall be able to resist invasion after spending about £10,000,000 or £12,000,000 on these fortifications, for the country has a right in return for such an outlay to be put in a position to prevent invasion. How, then, is that to be done? In a former debate no one attempted to contradict the statement that the first and most material line of defence of this country was the navy, and what is the state of the navy at this moment? I was horrified the other night to hear the noble Lord assert that our neighbours across the Channel are stronger in iron-plated ships than this country. If so, why does the noble Lord call on the House to squander money upon a problematical plan of defence, instead of putting the country's first and main line of defence—the navy—in a proper state? If hon. Gentlemen say anything about the navy, they are told, in brusque and short terms, that we are not discussing the Navy Estimates — as if the navy is not the very thing on which the whole matter hinges. An excellent pamphlet, "On the Command of the Channel and the Safety of our Shores," has been recently published by an officer who had seen much service, to which I regret that neither the Commissioners nor the Government seem to have directed their attention. The writer is Lieutenant Colonel Alexander, C.B., of the Royal Marine Artillery, who served before Kinburn, and he has laid down what to all appearance is an excellent plan for defending the country by a steam flotilla. With regard to the plan of the noble Lord and not that of the Commissioners, Colonel Alexander says—

> "The expense of the proposed fortifications has been estimated at various sums—from £9,000,000 to £12,000,000; the cost of twenty ships, such as I propose, would be less than half that sum, and in one case England would be able only to resist invasion, but in the other to prevent it. It has been argued that ships wear out and become useless. According to that argument, we ought to have no navy; but fortifications become useless, also, when they, as they often do, cease to answer the purpose for which they were constructed. Unless we strengthen our outer line of defence, all the millions spent upon fortifications will be thrown away."

That is what I say likewise, and what I hope the Committee will say when it comes to the vote. However wise the conduct of the Government may have been in suspending the construction of the Spithead forts, I think that a great deal more is to be said in favour of the erection of those forts on the shoals, as a defence, than possibly can be said for the enormous works on Portsdown Hill and at Plymouth. The reason given for the latter by the Commissioners in paragraph 5 of their original Report is, that since the application of steam to the propulsion of vessels, this country can no longer rely on being able to prevent the landing of a hostile force. Upon that notion is built the whole scheme of the construction of land fortifications on Portsdown Hill, at Gosport, and Plymouth. I admit that steam has modified the system of naval warfare, but I must consider that though it has given the enemy some advantages, it has given this country enormous means and opportunities of defence.

Let the extent of these land defences be considered. It is proposed to have on Portsdown Hill five connected forts to the extent of seven miles; and the works altogether, taking them across to Gosport, will not include a less extent than seventeen miles. Now, I maintain that the Commissioners' Report, and the noble Lord's plan into the bargain, are altogether one-sided. They only regard the facilities of invasion, and give no guide to the facilities of defence. What are the conditions which a foreign army intending to attack this country must attend to? In the first place, there is the condition of weather. In the next place, there must be provided for them a large fleet of transports, necessarily crowded, and which necessarily cannot be very secure against such a naval power as that of England. Then, again, such a fleet cannot travel fast, because the progress of the whole must be regulated by the speed of the slowest vessel. While these transports are being got ready, while they are crossing the Channel, what will the English admirals and generals and the English fleet and army be doing? Will they be asleep while this attacking force is being sent across the Channel? Because, from the remarks of the noble Lord, one would suppose that they would be in a comatose state. One remarkable assertion was made by the noble Lord the other night — namely, that it was possible for an invading force to come not only from Brest and Cherbourg, but from Toulon and L'Orient. That was the first time that I have heard from any high authority that we have to apprehend a great invasion by crowded transports coming across by the Bay of Biscay; but the noble Lord, speaking with the great authority of the Prime Minister, carried away all the timid and indolent Members, who were content to accept all these things for granted. The noble Lord also spoke of the facility of a foreign force disembarking upon this country, and referred to the success of the French in disembarking in Italy; but in the latter case the French quietly landed at the port of an ally — at Genoa—and were assisted by that ally; whereas the landing of an enemy in this country will be resisted to the death, even supposing that the navy was in such a state that it will be possible for an enemy to come here at all. The noble Lord has also spoken of a nocturnal attack, and he certainly gave the House one the other night. He has stated that it is quite possible to throw some 50,000 men on our shores in a single night. We all have heard something of the influence of authority in this matter, and I contend that it is not respectful either to the House or to the country for the noble Lord to break out in that *sic volo sic jubeo* style of which he is so great a master. It might be said of the right hon. Gentlemen the Secretary for War, for whom I entertain unfeigned respect, that though well qualified to express opinions when in the region of the classics or discussing the *Astronomy of the Ancients*, yet the question of fortifications is beyond the scope of his observation and abilities. His intellect is too limited to comprehend that subject, and he is so blind and infatuated that neither the House nor the country ought to trust him. Far from talking thus of the right hon. Gentleman, I think he has the knowledge and acumen enough to understand even the question of fortifications; but such remarks have been made upon Gentlemen who did something to put the noble Lord in Office, and who have founded a reputation which, when the country becomes cool, is likely to last almost as long as that of the Prime Minister or the Secretary for War, although they have not had the good luck of occupying office during a period of fifty years. As it is said this is a question of authority, I will quote a Gentleman of authority—the Secretary of State for War, who has written a book *On the Influence of Authority in Matters of Opinion*, and in that work he makes the following remarks, which may be commended to the notice of the hon. Member for Bridgwater (Mr. Kinglake):—

> "Great respect is due to the opinions of those persons who have devoted their lives to the study of sciences. . . . . This respect, however, should be the willing obedience of a freeman, not the blind submission of a slave. . . . There may be an excessive respect, . . which may check the due freedom of investigation, perpetuate error, prevent originality of thought, and maintain science in a stationary and unimproving state. Whatever deference is justly due to great names and competent judges, they are not to be regarded as infallible, as the oracles of a scientific religion, or as courts of philosophy without appeal."

In the words of the right hon. Gentleman, I say that the *dicta* laid down by the noble Lord at the head of the Government, and the tone assumed by him in this House in this matter of fortifications are not to be regarded "as the oracles of a scientific religion;" nor is the noble Lord to be accepted "as a court of philosophy, without any appeal." Unless the noble Lord gives us better reasons for squandering this enormous sum of money than he has hitherto done, we shall be wanting in our duty if we do not refuse the Vote now before us. Great, almost unlimited, as is the experience of the noble Lord, and profound as are his abilities, he is not a better judge of these defences than any hon. Gentleman who brings his common sense to the consideration of the plan. Now, what are the authorities on this question? One of the best criticisms on the plans of the noble Lord has been written by a distinguished foreign engineer officer, Colonel Brialmont, and he has declared that the plan is founded on a total ignorance of the first principles of tactics, and a similar opinion has been expressed by naval and military men in this country. The noble Lord has told us how easy it is to disembark troops on our shores. General Sir De Lacy Evans, who has had as great an experience of modern sieges as any man now living in Europe, has thus expressed himself upon this point—

> "Not only did he not participate in, but even repudiated, the alarmist views of our position which had been put forward—views which occurred to him as not unlikely to operate more or less as invitations to invasion. The landing of a body of troops with their artillery and material was no such easy matter. He doubted very much the facilities, so called, which were alleged to exist for the organization of a descent on our shores. It would take a considerable number of days to transfer any considerable force of men from the Continent to our shores. To make such a descent it was indispensable the force should be 60,000 or 80,000 men. To embark such an army, with its baggage, horses, and artillery, was a different affair to so many men going aboard steamers with nothing but their portmanteaus. The sudden arrival of a French Army was simply an impossibility."

Sir John Burgoyne, giving evidence before the Defence Commissioners, said—

> "I have a very strong opinion about landing in the face of an enemy. I think it is the most desperate undertaking possible, unless the landing place is of considerable extent. I believe it was never done with success, excepting in Egypt, and that was under peculiar circumstances."

He went on to state that if the landing had been resisted in the Crimea the allies would have been obliged to fall back to Eupatoria. A distinguished naval authority, the present Lord Fitzhardinge, has given a similar opinion. Replying to a statement of the noble Lord, who has always been consistent in this matter, Admiral Berkeley made the following remarks:—

> "Lord Palmerston had spoken of the French being able to collect 50,000 or 60,000 men in Cherbourg, but he did not tell the House how these men were to get across the Channel. He would tell the noble Lord it would take fifty or sixty vessels to embark such a force, and as many more to protect them in the Channel. He asked for an addition of 4,000 men and 1,000 boys for the navy, with a view to allay the 'absurd panic' of invasion."

All the authorities, in fact, are on one side. They agree as to the difficulty, almost the impossibility, of disembarking a large army on our shores; and they tell you, that if you spend such an enormous sum for permanent works at Portsdown Hill and Plymouth, you will squander the public money on a plan which cannot be attended with adequate results.

The noble Lord has also told us that the power of blockade has been impaired in consequence of the introduction of steam. I find that, in the opinion of distinguished naval men, such is not the case; and I would ask the noble Lord, or the Secretary for War, if steam has really impaired the power of blockade, how it comes that the United States have been maintaining an efficient blockade, according to our Government, for a period of twelve months, over 1,500 miles of coast? Admiral Berkeley, when examined before the Naval Committee in 1848, stated that the power which steam had given us, if used promptly, would be our best guarantee against invasion, and Sir Thomas Hastings, President of the Commission on Coast Defences in 1849, expressed exactly the same opinion, and also said that steam had increased our facilities of blockade. What was the opinion of the late Sir Charles Napier—a great follower of the noble Lord, and one who would have stretched a point in his favour? He said that he was of opinion, that so far from steam having made blockading impossible, it had for the first time made it more effectual, as with steam ships it would be impossible for an enemy's ship to escape without the knowledge of the blockading squadron, as the French ships did when they landed an army on the shores of Ireland. These are the opinions of three naval men—scientific men who have served in their profession, and the Committee ought to give some weight to their opinions given under such circumstances. We ought not to be led away by vague assertions and flourishing speeches; we should be guided by authority on such a subject. I find this to be the opinion of most officers of experience. If an invasion is to take place from that country we do not love exactly as ourselves, speaking of our neighbours, the number of the invading force is calculated at 80,000 or 100,000 men. Take it at 100,000 men, and suppose the Channel Fleet defeated—for that is always assumed, and I am astonished at the insults that are heaped on the navy night after night in connection with this subject—the Channel Fleet is supposed to be defeated, and therefore we are to be defended by fortifications; well, an army of 100,000 has, we will suppose, landed; what forces have we to meet them? Of the regular army there will be 80,000 men; of trained Militia, 60,000; of Yeomanry and Pensioners, 30,000; and Volunteers, 150,000, making altogether a force of 320,000 men. If steam is favourable for offence, it is doubly favourable for defence. Let the Committee contrast the state of things now with what it was before the introduction of steam, when the noble Lord was Secretary at War. Then we had a system of communication by telegraph posts, the last of which so lately vanished from the top of the Admiralty. These posts, which extended to only a very limited portion of the country, were liable to be deranged by fifty causes; they could not be seen in a fog; they could only be worked in fair weather. Now, we have the electric telegraph everywhere, and on the receipt of its intelligence troops can be moved and concentrated—the keystone of all military science—upon any part with the the utmost rapidity. Formerly, troops could not be collected on any given spot within a great length of time. The troops marched at the rate of but three miles an hour during only a certain portion of the twenty-four hours, and vast means were requisite to assemble an army on a particular point; but now, by railways, troops can go thirty miles an hour day and night. We had an illustration of the increase in the power of transport in the recent volunteer gathering at Brighton, when a force of 20,000 men by the ordinary trains went to that place in little more than an hour. In such a state of things an invasion of this country must be considered almost absolutely impossible. Another thing to be taken into account is the improvement which has taken place in the whole science of arms. This is very material. What is the opinion on this subject of Sir George Sartorius? At page 22 of the most excellent pamphlet he has written on this subject he says—

> "It must be remembered the safe landing of 50,000 or 60,000 men implies that all difficulties had been removed to the landing of any larger number. All professional men know that the late great improvements in fire-arms of all descriptions makes one man defending the landing equal to ten attempting it. . . . The supposition that a nation like ours, either at war with, or certainly regarding with suspicion, our active, gallant, and powerful neighbour, amply provided with every requisite for invading us, should neglect the ordinary military precautions of war, and be so unprepared with the common and effective means of defence so abundantly possessed by us; that we should leave them totally unorganized, and be so blindly unvigilant as to permit a large hostile army to assemble and embark, leave his ports, traverse forty or fifty miles, and effect his landing upon our coast in two or three hours; and, moreover, maintain his position in spite of

our efforts, and then cover the landing of the main body of the invading army, is a chain of, I may say, impossibilities such as I never could have expected to see advanced by experienced men of either profession."

So that he looks upon the landing of these invading troops as a bugbear invented by Prime Ministers to alarm the House of Commons, and get money from the taxpayers of the country.

There is another consideration to which I would call the attention of the Committee —the extent of these works; seventeen miles of fortifications at Portsdown Hill and Gosport will require large garrisons; and it is worth while to consider where the men will be got to garrison them. The number assumed in the Report was 68,000; now, I find on inquiry, that even this large number of men whom to shut up in our forts during a time of war would be a source of weakness rather than of strength, would be inadequate for this chain of works, extending seventeen miles. Yet we are told by the noble Lord that this system of forts will economize men. Let us see how. What says Sir John Burgoyne on that point? He says he does not recommend the construction of these works, because certainly we shall never have garrisons large enough for them, and he considered it bad economy to build forts when you cannot get garrisons for them. The natural, inevitable sequence of constructing these works, if Government do their duty, is this—you must have a large increase of the regular army. Do not let the Committee blink that question. What say the minutes of the Defence Committee on that point? It is said we have got Volunteers —we will put Volunteers into these garrisons. They had Volunteers, then; and here is a copy of a minute by the Defence Committee relative to the Report of the Royal Commissioners for National Defence, ordered by the House to be printed on the 20th of July, 1860. This minute is signed by the Royal Duke at the head of the army and a number of distinguished officers, and therefore it is entitled to very great respect. What does this minute say?—

> "The Committee concur with the Royal Commission to the full extent of their propositions, both as regards works and the number of men necessary to garrison them; but they are of opinion that of the whole force required a larger proportion of the well-trained troops of the regular army will be necessary than appears to be contemplated by the Commissioners. . . . . Certainly a large proportion of well-trained artillerymen will be essential, more especially in those sea batteries which are intended to oppose ships —a service requiring that the guns should be worked with great rapidity and accuracy."

Has the Committee, then, considered, after these works are built, how the batteries are to be manned? It is well known to officers who have seen service, if you are going to have rifled or Armstrong guns, breech-loaders, you will require a much more scientific force than raw volunteers to work them. On this point the evidence of Major General Bloomfield is decisive. Colonel Bingham stated that the number of heavy guns proposed to be put on these batteries amounted to no less than 6,000, besides twenty-five movable field batteries. He was asked how many men would be required to a gun, to which he replied that for firing red-hot shot not less than thirty men would be required for each gun, and out of these thirty you must have twelve well-trained gunners. But it is said the pensioners may be made to work these guns. I wish hon. Members would turn to the answer to Question 833. It is most material. The question put was—

> "Then, Pensioners might be sent down to Portsmouth as garrison artillerymen?"

To which Colonel Bingham replies—

> "I should be very sorry to ask them to go; they are completely worn out; they are fine-looking old men, but they are not fit to work the heavy guns now in garrisons."

What must we do but increase the force of our artillery? You must increase your force of regular artillery. Your fortifications may be constructed on the best possible principle, but without proper gunners to man the batteries they will be entirely thrown away. It is bad economy to construct anything unless you make it perfect, and it is a false system of defence into the bargain. General Bloomfield, Inspector General of Artillery, gives important evidence on this point. He says—

> "The general impression on my mind is that almost everywhere there are more guns than can possibly be made efficiently useful without a large increase to the present force of well-trained artillerymen. Until this increase takes place, I should be inclined to recommend a reduction in the number of guns already mounted, rather than an augmentation. Half-trained or half-disciplined men would be in the way in such batteries in action. They could be more usefully employed in the larger fortresses and works. I calculate that 8,172 first-class gunners and 16,000 militia or volunteer artillerymen would be required to man simultaneously the batteries now existing on the coasts of Essex, Suffolk, Kent, Sussex, Hants, and Devon."

So far as to the works at Portsdown Hill.

But if the land defences at Portsdown Hill are not called for, how can the defences on the land side of Plymouth be called for? Sir John Burgoyne "pooh-poohs" altogether those Plymouth defences, and says they can wait. Within twelve hours you can concentrate an army on that point, and you do not want these works to assist in preventing an invading force from marching on the metropolis. The Duke of Wellington would never have called for, and never contemplated, this system of fortifications. What he asked for was an increase of the army, and 150,000 disciplined Militia. It was left for the noble Lord at the head of the Government to come down to the House and ask its support to a scheme which the Duke of Wellington in the highest and palmiest days of his power had never thought of proposing. There is another point to which I must refer, and on which I particularly request information. A large sum of money is asked for works at Dover, but that place is given up altogether in the Report, because it is only on account of our having a castle there that we are asked to make these works. Dover is called a harbour, but in truth it is only a landing-place for packets; and, from what was said elsewhere, it is assumed that, after we have spent hundreds of thousands in building this pier, its chief use would be to enable a French army to disembark there. Dover is called an intrenched camp. I do not object to an intrenched camp, which may be thrown up in a comparatively short time; but, remember, large works are being made there in which you are to shut up 6,000 men. But it is said that efficiency under a Whig Government means increased expenditure. I wish to ask whether the converse of that holds true—namely, whether increased expenditure means efficiency? Because, although the noble Lord the other night said these fortifications were proposed after deep reflection, and were likely to endure for a great length of time, I greatly question that. I have been much struck with an account given in *The Times* of the 21st of June—which supports this scheme now—of the works at Fort Darnet Ness, which are being built at an enormous expense in the Medway, three miles below Chatham. *The Times* said—

> "The soft, spongy nature of the soil on which the large fort is to be erected, has rendered it almost impossible to obtain anything like a firm foundation for the massive battery to be placed on the spot."

I hope this matter will be cleared up by the Secretary for War. I ask—Is it true that the foundation of that fort is likely to sink under the weight of its armament? There is also a fort which has been finished for two years at Gosport, called Fort Elson, with a heavily armed battery, and which is casemated and very strong indeed. But the rumour runs, down there, that its foundations are actually slipping away, and I understand the guns will not be able to be fired, because they would probably bring down the fort. [Sir GEORGE LEWIS: No!] Will the noble Lord lay on the table the report of Captain Galton on that subject? Let us not have fine flourishes about national defence while we are throwing away our money on useless and badly-constructed works. I come now to another of the noble Viscount's forts—for all are the noble Viscount's forts. Fort Rowner is finished, but we are called upon to spend £75,000 upon it. I want to know what is the condition of its foundations, because it is reported at Portsmouth, by persons who have the means of judging, that it is in a similar state to the last fort which I have described. Let us look next at the defences of the Isle of Wight. The only part of the island where an enemy could land, at the east end, is Sandown Bay, and a fort called Redcliff is being built there. The site is said to be an overhanging precipice, and the foundation very dangerous. The report is that the guns of the fort will be utterly unable to sweep the beach so as to prevent an opposing force from landing. I want the Government to throw some light on the truth or error of these allegations, and they seem to be material when we are asked to vote money for these works.

We are told that all this expenditure is in the nature of insurance. It is therefore material to inquire into the rate we are paying for thus insuring the country. Since 1847, when the Duke of Wellington said he could provide for our defence if £400,000 were added to the Army Estimates, our Army and Navy Estimates have increased by £13,680,000 a year. The noble Viscount, who has that military mania which is perfectly uncontrollable, and to which this House holds the candle, plunged us also into an enormous outlay at Aldershot. There the works are unfinished, and the cost is a million and a half. That is in addition to the increase which has taken place in our Naval and Military Estimates since 1847. Since that period we have spent 293 millions of money by way of insurance in promoting the noble Lord's schemes of naval and military preparation. And now we are told that that is not sufficient, and that nine or ten millions more are required for fortifications. Does it not occur to the Committee that, after all, the noble Lord, able, willing, and gallant as he is, may be rather an expensive luxury for the country? If we are to be continually called upon for these enormous grants of money, and after all find that we are not secure, I say the rate of insurance is not so moderate as to make it worth while to keep the Ministry in power. What have we got? We are told that we have not so many iron-plated ships as the French, and a remarkable pamphlet has just been published by Mr. Scott Russell, entitled *The Fleet of the Future, or England Without a Navy*, in which that gentleman positively declares that we have no fleet. If it be true—and the noble Lord to a certain extent corroborates him—what can be more foolish than to leave the navy in that state and at the same time to waste millions on fortifications, which, according to the noble Lord's own admission, constitute only the second line of defence? What has been done with regard to the navy? I find that in 1861 there was a Royal Commission appointed to inquire into the state of our dockyards. Mark the difference of treatment accorded to Commissioners who want to save money, and to Commissioners who recommended the expenditure of money. The Commissioners of 1860 called upon the House to reform the Admiralty altogether. From that day to this nothing has been done—no notice has been taken of the Report. But when Commissioners called upon us to spend money, who so gay, who so ready to adopt the recommendation as the noble Lord, in order, as he tells us, in a quiet and economical way to place the country in safety? After we have spent the enormous amount I have mentioned in providing for the defence of the country, the noble Lord is not content, but comes down here, and, like Oliver Twist, asks for more. But where is this to end? To what extent is our income tax to go, and what is to become of the finances of the country, which the Chancellor of the Exchequer told us four years ago were becoming inextricably confused? The right hon. Gentleman the late Secretary for War (General Peel) threw all the responsibility upon the Government, but let the House consider what the meaning of that word is. The noble Lord will readily accept the responsibility if you will give him the money. He gets the money, and he may be out of office next year. The next Government will have to spend more money to complete the plans, and then what becomes of the responsibility? No one would impeach the noble Lord. Every one admits that he is a gallant man, who will always do what he thinks is his duty; but what a bugbear is this responsibility—a word without a meaning. Where was the responsibility of the men who built the martello towers, which, according to Sir John Burgoyne, never were and never could be of any use? Let not the House be led to forget that they are the guardians of what is facetiously called the public purse, and that responsibility attaches to them in voting enormous sums of money, which responsibility they cannot shift from their own shoulders to those of the Government. I regretted to hear the noble Lord the other night incidentally sneer at the treaty of commerce and free trade. Certainly, the noble Lord made a most curious defence of these fortifications. He said, "My forts will do more to preserve peace than your free trade or your cobbling up of commercial treaties." He stated that, to my surprise, while on either side of him were the twin representatives of free trade and the commercial treaty—the President of the Board of Trade and the Chancellor of the Exchequer. I was surprised to see the noble Lord, like Garrick between the comic and the tragic muses, so impartial in decrying both. I do not know what my right hon. Friend the Member for Ashton thought or felt, because, if he represents anything in the Cabinet, it is the principle of free trade, and his hon. Friend the Member for Rochdale; but he sat still—perhaps wisely. I do not know what he thought, but I know how he looked. He looked something like Pompey's statue when Cæsar was staggering at its base. I think he might have replied in the words of Cassius—

> "I have not from your eyes that gentleness,
> And show of love, as I was wont to have.
> You bear too stubborn and too high a hand
> Over your friend that loves you."

The right hon. Gentleman did not say that, but I hope he will take an early opportunity to explain what is the meaning of those sarcasms upon free trade, and whether he is a party to spending the money of the country upon fortifications and troops, which he has heretofore resisted, and whether he accedes to the views enunciated by the noble Lord. But the question has been put upon the old issue. The noble Lord says he will not accept the responsibility of Government without the money, and it comes to the old question of "confidence." I wonder that "confidence" was not imported into the great Thames Embankment question, the great question of the Session. But what confidence, or in whom? In the Exchequer? Is it overflowing? On the contrary, your revenue is declining. Are people prosperous in Lancashire? The noble Lord smiled. What confidence have we in a confiding Parliament and an improvident Executive? Parliament goes on year after year voting these sums, when the noble Lord threatens hon. Members with a dissolution. They care more for their individual pockets than for the pockets of the taxpayers at large. But I tell the noble Lord and his supporters that I am not content to register the imperial edicts of a dictator. ["Hear, hear!" *and laughter.*] Yes, of a dictator—I repeat the word—whose plans, if carried out, mean increased expenditure, and who is leading the country into heavier taxation and to financial embarrassment.

Amendment proposed,

In page 2, line 5, to leave out the words "one million two hundred thousand pounds," and insert the words "eight hundred thousand pounds."

MR. H. A. BRUCE said, that stripped of the amusing and interesting details, sarcasms, and gibes with which the hon. Gentleman had invested it, the question before the Committee resolved itself into this—whether the Government were to take the opinion of skilled persons—of men most eminent in every department of war—or should adopt the views of the hon. Gentleman, and the hon. Member for Finsbury, who, although a great authority upon some subjects, could not be regarded as such upon the special matter before the Committee. The hon. Gentleman, indeed, attempted to escape from his difficulty by denying that the plan under consideration was the plan of the Commissioners—[MR. BERNAL OSBORNE: Hear, hear!]—and asserting it had been so altered by the noble Lord as to have become really his plan. But how had the hon. Gentleman proved his case? He said that the original plan included five forts at Spithead, and the number was now reduced to three; that eight forts were originally proposed for Portsdown, which had now been reduced to a number variously stated by the hon. Gentleman at three and at five. But after all those were mere details, and he believed the Commissioners had acceded to the alterations which had been made. The real point at issue was, whether the scheme was, upon the whole, one that was recommended by those eminent persons, and he contended that in substance it was. But the hon. Gentleman went on to argue that the plans proposed would not prevent invasion. The scheme had never been put forward upon that ground; it was proposed for the purpose of defending the arsenals, of securing a basis of operations for the navy, and for rendering their military force more available for the defence of the country in the event of an invasion. The hon. Gentleman had quoted authorities to show that invasion was possible; but would the gallant Officer near him (Sir De Lacy Evans), or would Sir J. Burgoyne, assert, that looking at the past history of England and the present position of the world, invasion was impossible. When had England been exposed to the greatest risk of invasion? It was after twelve years of successful naval warfare, that had commenced with the destruction of the French fleet at Toulon—after the retirement of most of the ablest officers of the French navy, and after the destruction of fleet after fleet belonging to France. They all knew, that if the French fleet at one critical juncture had been commanded by Suffrein instead of Villeneuve, the French would have brought fifty ships into the Channel at a moment when England had only twenty-five to meet them. Napoleon had the fullest persuasion of the success which would have attended such an expedition, and no one could have read or thought on the subject without a feeling of gratitude at the escape. During the last two centuries there had been repeated instances in which the command of the Channel had temporarily slipped from their hands. It was said that steam gave them new opportunities of defence. Steam assisted both the attack and the defence; to what extent it was for the future to say. Very little change had apparently taken place in the military art. The tactics of Hannibal and Cæsar were those of Napoleon and Wellington, and from the earliest times fortresses had played an important part in the defences of every country. M. de Brialmont had, no doubt, said of the fortifications now in question that they were of no strategic importance. But M. de Brialmont recommended a system quite as expensive—namely, fortifications at Guildford and other places between the coast and the metropolis. The Government proposed by these works to defend the arsenals. The hon. Gentleman asked whether an invading army would trouble itself with besieging Portsmouth, or taking the arsenals. But had the hon. Gentleman read the last volume of *Napoleon's Memoirs and Letters*, published about ten days ago? Napoleon, in one of those letters, told one of his most distinguished artillery officers to provide artillery for the siege of Chatham, Portsmouth, &c. He would admit that an invasion of this country could not be attempted by a force of 60,000 or 80,000 men; but with a force of 100,000 or 120,000 it would be easy to detach 10,000 or 20,000 to destroy Portsmouth, if it was not adequately defended. Great and irrevocable injury might be committed by an army landing either at Portsmouth or Plymouth. Perhaps a landing in Kent might be prevented, but it would be difficult, if not impossible, to provide for the adequate defence of every part of our coast. The hon. Gentleman had quoted the Report of the Defence Commissioners made two years ago, and said that the Volunteers were not then in existence. They were, however, partially in existence, although they had not then developed themselves into solid, well-disciplined battalions. They had from 24,000 to 25,000 artillerymen, in regard to whom he had the authority of Lord Clyde for saying, that it was impossible to have artillery better calculated for the defence of fortified places. He had lately spoken with an artillery officer who was present at a recent Volunteer review, and he said he never saw guns better manned or served than by the Volunteer artillerymen. The present number of 25,000 artillerymen might easily be doubled if necessary. He would admit that no invasion of this country could be made without much previous preparation; but that was no reason why they should abandon the construction of these fortresses. The question was a question of authority, and great names had been paraded before the Committee. No doubt, Sir John Burgoyne and other officers had criticised portions of the Government scheme; but, on the whole, they agreed that it provided an efficient and powerful means of national defence. After all the discussions that had taken place, and the large expenditure which had been incurred, it was impossible to reflect without humiliation on the present state of the navy, because if war were declared to-morrow, the French, would have the advantage at sea. The question, however, ought not to be argued with reference to the present state of any military Power. The best security for peace was to make themselves strong, and if their coasts were adequately defended, and their arsenals were secure, no country would think of attacking them. He could not help thinking that the hon. Member for Liskeard had greatly misrepresented what had fallen from the noble Viscount at the head of the Government the other night. The noble Lord replied to the hon. Member for Rochdale that it was not enough to have men skilled in arts which might be made subservient to the national defence in time of war. The noble Viscount added that it was necessary to have men skilled in the arts of war, and cannon ready, and that all the civic skill in the world would be powerless against an enemy properly trained in the military art. He should not have risen to protest against the sophistries and unfair statements of the hon. Member for Liskeard had not the hon. Gentleman alluded to him as the only Member unconnected with the Government who had supported this plan of fortifications. He repeated that he felt convinced the scheme of the Government was wise, and called for by the altered circumstances of the times, and that the Committee would be doing well in voting the money.

CAPTAIN JERVIS said, that the remarks of the hon. Member for Liskeard furnished another illustration of the truth of the adage that "a little learning is a dangerous thing." He had brought up the old bugbear of seventeen miles of fortifications which would have to be defended by an overwhelming force. The hon. Gentleman did not appear to know that it was only a small part of any fortress that was ever attacked. The hon. Gentleman had talked about thirty men being required to work each gun, and said that 60,000 artillerymen would be wanted to defend these fortifications. But no one ever heard of more than a small force of artillerymen in any country, because they were required only in a few places at once. It was said they were called upon to vote £10,000,000 of money for these works, but they were not called upon to vote anything like that sum. The Commissioners did not recommend that the whole of the works upon which they had reported should be actually carried out. They had merely pointed out a general plan. The details of that plan had been carefully examined during the last three years, and a considerable reduction of expense had been the consequence. The original estimate of the Commissioners was £10,350,000, exclusive of armaments and floating batteries. Of that amount £1,885,000 was for purchase of land. The works were to cost £8,465,000, of which sum £1,460,000 had been already sanctioned. The present estimate was £6,710,000, of which £1,030,000 was for purchase of land, leaving £5,680,000 for works. If they were to deduct the amount proposed for Spithead from each—namely, £1,100,000 and £840,000 respectively—they would have as the original proposal £7,365,000, and £4,840,000 as the present, making a difference of £2,525,000 for works, and £855,000 for land. That reduction was effected in the following way:—The Chatham western defences from Rochester to the river had been given up, making a saving of £700,000; at Woolwich there was another saving of £700,000; at Portsmouth the Portsdown Hill works were reduced by £200,000; at Plymouth the Saltash works were abandoned, thus saving £500,000; and the cost of the north-eastern defences was reduced from £1,200,000 to £350,000. As for Pembroke, it was extremely difficult to say what had been abandoned, but the Estimates had been reduced by £425,000. There was thus a total reduction of cost to the amount of nearly £3,400,000. He did not think that the proposal which the hon. Member for Stamford was about to make would promote economy. The best thing they could do was to put as much confidence as possible in the engineer who had charge of the works. If the Government were limited to a certain sum to be spent on each separate work within the year, such an arrangement could only add to the ultimate cost. If hard frost set in during the winter, many of the earthworks might have to be stopped. If there was much tempestuous weather on the sea-coast, the sea defences would have to be postponed till the spring. Economy could only be obtained by giving the Executive ample power of spending the entire sum voted in such a manner as might be found necessary from time to time, and of the most advantage to the public service.

SIR GEORGE LEWIS: The complaint which was made about three years ago, in previous stages of this question, that the House was taken by surprise, and that the subject was not deliberately considered, will not, I think, apply to the present year; because, by the forms of this House, it was necessary that the Bill should be founded on a Resolution, and that Resolution gave rise to a debate, equivalent to a debate on the second reading. Upon the second reading of the Bill which was subsequently introduced, the subject was discussed for a whole night, and minutely scrutinized; and now upon the first clause of the Bill in Committee we have a revival of the debate, which again is equivalent to a debate upon the second reading, because my hon. Friend did not address his remarks to any clause or detail in the Bill, but repeated with some additional illustrations and in different language the arguments which he used on a former occasion. But as my hon. Friend's arguments were substantially the same as were before submitted to the House, and as they were met by arguments, though not satisfactory to him, yet which the House was able to judge of and to decide upon, it will not be necessary for me to go very fully into the question. However, out of respect to my hon. Friend, I will not leave his speech entirely without comment. I will not dwell upon that very unwise and somewhat sentimental argument that it is unmanly for British soldiers to—[MR. BERNAL OSBORNE: I never used it at all.] I am glad the hon. Member disavows it, but at all events I heard it before used in this House. ["No, no!"] I most positively aver that I have heard the argument used more than once in the course of these debates that it was disgraceful that our soldiers should skulk behind walls. Well, in answer to that—if any hon. Gentleman should be influenced by an argument of that description—I will only ask him to consider whether it is not the duty of a general to spare the lives of his men; and whether those generals, including the Duke of Wellington, have not been most commended who have used every peculiarity of soil and situation to prevent their men being exposed to danger. Therefore I think, if by fortifications we can make it more easy for our gallant troops to defend their country, I trust no Gentleman in this House will be influenced by such an argument. I think, however, my hon. Friend used an argument not much more wise and equally sentimental—namely, that the use of fortifications is an insult to the navy.

MR. BERNAL OSBORNE: The right hon. Gentleman is equally incorrect in what he is now stating. I said that the supposition that an enemy could land was an insult to the navy.

SIR GEORGE LEWIS: My hon. Friend certainly used the argument that it was an insult to the navy to make use of fortifications. [Mr. BERNAL OSBORNE: I did no such thing.] I am extremely glad, then, that I misunderstood my hon. Friend; for if he had employed such an argument, it would have been entirely devoid of force and utterly unworthy of any man of sense. I am still rather at a loss to know in what the insult to the navy consisted; but I presume it was some measure to be taken for strengthening the defences of our coasts, and which, according to the doctrines of my hon. Friend, would imply want of confidence in the navy. But, as my hon. Friend seems rather sensitive upon the subject, I do not wish to detain the Committee about these merely preliminary matters, but to go at once into the material parts of the case. Now, the main argument used by my hon. Friend turns on the probabilities of invasion. He has asserted and quoted authorities to prove that there is no reasonable ground for dreading invasion, and that any securities against the risk are superfluous and a waste of money. Now, I am entirely at issue with my hon. Friend both as to the fact and the argument which he founded upon it. My knowledge of history, and my observations of the military operations of nations in former times, lead me to believe that an invasion of foreign countries is by no means a difficult operation. I believe my hon. Friend will find that there is hardly any country which was seriously bent upon the invasion of another, and which was possessed of a large navy, that has found any difficulty in making a descent upon a foreign coast. I need only refer to our own history. Is there any instance in which we have had any difficulty in effecting a landing on any foreign coast? Had we any difficulty in the American War or during the war of the French Revolution, though the expeditions were afterwards unsuccessful—or on the coasts of Holland or Flanders? Had we any difficulty in effecting a landing on the coasts of Portugal or Spain during the Peninsular War? I believe we should have had no difficulty in effecting a landing on the coast of France if we had thought our army sufficiently strong to maintain itself against the enormous military resources and the great genius of Napoleon. I maintain, then, that the landing upon a foreign coast is by no means a difficult operation, and I will also say that the object of the measure under consideration is not to prevent an invasion of our shores. It is an entire misconception of the object of this measure to suppose that we undertake to render invasion impossible. No profession is made to plant a wall round all the landing-places in England, so as to make it impossible for a foreign army to disembark. Such a chimerical idea never entered the mind of any of the promoters of the present plan. What we say with respect to those places which it would be most the object of a foreign invader to attack, and which it would be most important for us not to lose, such as our dockyards and arsenals, is, we defend them to prevent an enemy making an attack on those points; but we do not say that it would be impossible for a foreign army to land on our coast. The real security against invasion is, that the vulnerable points on our coasts should be fortified, so that the enemy should not be able at once to destroy the places in which our military and naval strength lies, or make such an impression on our military and naval resources as would enable the hostile force to maintain a footing in the country, and thus reduce us to submission. With respect to the question of the difficulty of manning these forts, I think that the hon. Gentleman who spoke last has given a sufficient answer to my hon. Friend. No one has ever supposed that all the forts now proposed would be required to be simultaneously defended. Supposing the country to be invaded, the enemy would make an attack on some particular spot, and that point, with the means of transport now existing, could be defended, and it would not be necessary to have a full complement of men to man every gun in every fort at the same minute. My hon. Friend has asked some questions with respect to particular forts. In the first place, I would say that when large undertakings of this kind are carried on, of course during their progress it is not impossible that some accidents may occur, such as invariably occur in the construction of great railways. As respects Fort Elson, the scarp was thrust forward in consequence of the ground moving from water percolating through. With regard to Fort Rowner, a settlement in the masonry work, such as not unfrequently occurs in similar constructions, has taken place. As respects the foundation of Darnet Fort, in the Medway, the difficulty is such as is often experienced in the neighbourhood of rivers in putting down a solid foundation, but that difficulty is now overcome. Therefore as far as engineering difficulties are concerned, I can assure the Committee there is nothing material to interfere with the progress of the works. I trust this explanation will be considered sufficient.

SIR FREDERIC SMITH observed that he was the last man in that House to decry fortifications, or to deny their value, supposing men could be obtained in sufficient numbers to man them; but he certainly did strongly disapprove of the construction of gigantic lines of fortifications where there were not sufficient troops to supply them with garrisons. He admitted that strong fortifications, judiciously posted and manned, would tend very much to arrest the progress of an invading army; but the question was, could they have both an army in the field and well-manned fortifications also? Nothing could be more foolish than for this nation to construct such immense fortifications that it would take all the regular troops to defend them, and this is what seems to be contemplated by the Government. It had been said that they might be defended by raw levies; but surely it would be very impolitic to try to defend fortifications with raw troops. All the highest military authorities concurred in the opinion that it was always necessary that garrisons in time of war should consist of the best troops, because siege operations were not like those in the field, frequently over in a few hours, but required the most tried courage, nerve, and endurance, not for days only, but for weeks and months. Not only were men who were besieged in garrison liable to attacks by escalade, and to the greatest possible peril in defending their works night and day, but the troops were called upon to make sorties, which were sometimes far more perilous to soldiers than pitched battles were. He would like to see the general who would dare to make a sortie with raw troops. The natural consequence, therefore, of erecting all these large fortifications, would be to lock up in them a great proportion, if not all our best troops. There could be no reason on earth why portions of the fortifications at Plymouth and Portsmouth should not be postponed, seeing that the Government had taken upon itself to alter the whole of the original plan, and to omit many of the works which it at first intended to proceed with, and thus to disregard in material points the recommendations of the Commission. Upon the plan of the Government, it would require 30,000 men to defend Portsmouth alone, while the other proposed works would require 60,000 or 70,000 more; and he really believed that if the question were referred back to the Commissioners, far better and more economical plans might be adopted. He wished to know who was responsible for the alteration of the plans. He feared the right hon. Baronet the Secretary of State for War would not enlighten them on that essential point. One year they were told that a certain number of works were required; next year some of them were taken out of the list. Thus the central arsenal was left out of these plans, and they were going to leave out the defences of Woolwich altogether. Was that in accordance with the opinion of the Commissioners or the Government? If of the Commissioners, they had changed their minds; if of the Government, they clearly overrode the Commissioners, and preferred their own opinions to those of the men for whose judgment they professed to have so high a value. If they were asked boldly by the Government for £1,200,000 for fortifications actually necessary for the defence of the country, without details, that was one thing, and the responsibility would be wholly with the Government; but when a definite plan was submitted, and they were told that the money was required for certain definite works which he considered altogether too extensive, he certainly should take the opinion of the House as to whether such money ought to be granted; for if granted under these circumstances, the responsibility of taxing the country needlessly would fall on the House of Commons. Plymouth was a point of great importance, and he should not like to see it left undefended; but the works on the north-eastern side were not properly planned, and he hoped they would not be proceeded with at present. He trusted also that the works at Fareham and those at Portsdown Hill would be delayed, and he would suggest that the number of forts at Portsmouth should be reduced from five to three. He also objected to the works at Dover, but since they had been proceeded with so far they must go on. They had been told that the number of gunners might be doubled or trebled in a short space of time; but it should be recollected that the ordinary period for the training of gunners used to be two years; and in consequence of the recent improvements, and the intricacies of the new ordnance, three years at least were now required. Volunteers might work light six-pounders on a field day and make a pretty show; but to work heavy guns and siege trains they must not depend upon Volunteers. He should, therefore, object to all these extended lines of fortification, and, inasmuch as no contracts whatever had as yet been entered into for those named in the schedule to which he objected, the Government ought to pause before they proceeded with them. He wished to strike a blow at the system before it had taken too deep a root; for as he contended, it was utterly impossible for France or for any other nation to make such preparations as would be necessary to land a large force properly supplied upon the shores of this country without giving, as it were, all the world notice of their intention; and if that was the case, and the attempt were made with wooden vessels of war and transports, three or four steam rams would be able to run into and destroy and sink a great number of them. No one could deny that our steam navy would prove a most serious obstacle to any such attempt; and if even after all upwards of 100,000 men should get near the shore, the landing would have to be effected in boats; and so long and difficult a process would that be, that there would be ample time, in these days of railways and telegraphs, to concentrate a large army at any spot where the attempt was being made, and gall the enemy by a most destructive fire, if they did not entirely defeat them. Upon the point of concentration of a land force he could speak with the more confidence from the fact that he had once made some investigations, at the request of Sir R. Peel, on the subject; and on that occasion Mr. Laing, chairman of the Brighton Company, and Mr. Macgregor, chairman of the South Eastern told him that they would engage, if ever the emergency should arise, to convey an army of 60,000 men from any focal point, such as Aldershot or Red Hill, to any place on the south coast, between the Bill of Portland and Portsmouth, in five hours, and thence to the North Foreland in three hours. Even if a French army were to land at Plymouth or Portsmouth, it would never dream of sitting down before either place. In such a position it would be exposed to attack both in flank and rear, and would either be captured or cut to pieces. He hoped that when people really considered the enormous facilities they possessed for the concentration of troops, these groundless fears of invasion would vanish; for it was his belief, that even if 150,000 men could be landed here, their defeat and capture was certain. He did not believe, that if the best troops were cooped up in fortresses, our volunteers would ever be able to prevent the landing of an enemy; and seeing how soon an effective army in the field could destroy the base of the operations of an invading force when once they had the temerity to quit the seaboard, he hoped the Committee would consider that an army in the field would be sufficient for the protection of the dockyards and arsenals, as well as the capital, and that they would not consider it necessary to form the extensive lines of works proposed, but rest satisfied with the existing works, which were adequate to defend the arsenals against a *coup de main*, and were only inefficient against a distant bombardment, which a very small number of detached forts would prevent. Whenever this question was discussed, the Government kept out of view the existing works, which were sufficient to enable good garrisons to make a vigorous defence. With regard to the principle on which some of the works were proposed, there was great inconsistency: those for the defence of Portsmouth being at the full extent of bombarding range, for instance; while those for the north-east side of Plymouth were much closer, and those for Pembroke not half the distance of the Portsmouth advanced lines from its dockyard.

VISCOUNT PALMERSTON: As the hon. Member for Liskeard (Mr. B. Osborne) paid some attention to me in the course of his speech, I feel it would be uncivil on my part not to take notice of his remarks; but in doing so I shall not detain the Committee for more than a few minutes. I feel much flattered by the language which the hon. Gentleman applied to me. I must say, at the same time, that he gave me a credit to which I can lay no claim; for although I admit that I have been for a great number of years very solicitous that our dockyards should be defended, and have long thought that it was the duty of the Government to take measures for that purpose, yet I cannot take credit for a plan which has been prepared by competent military and naval authorities—men of great skill and science, whose opinion, I may say, without any reflection upon the hon. Gentleman, is entitled to more weight than any he may give upon this subject. There was nothing in his speech which has not been urged over and over again by himself and others, and which has not been fully answered. The great argument he made use of was that it was impossible for this country to be invaded, and that therefore permanent works of defence were unnecessary. As to its being impossible that this country should be invaded, I think that is an argument which it would be very well to maintain at a dinner-table or in a club, but it is not a fit argument for a sensible man to address to a deliberative assembly engaged in considering the means of defending the country. It is manifest that if a neighbouring country desires to invade us, nothing is so easy as to do it, unless you have on the spot a large fleet equal to cope with that of the enemy, and unless you also have at the point of landing an army able to fight the invader. The history of the last war, however, shows you that you cannot be sure of having on the spot a fleet large enough to stop an invading force. The hon. Gentleman has stated that I said, on a former occasion, an army of 50,000 or 100,000 men might be landed here in one night. I never said that. What I said was that an expedition of that force might traverse the Channel in one night, and might be in the morning at the point of landing. With the means which we know modern science has provided of platform boats, each capable of carrying 120 men with guns and horses, that operation would be a very short one. The hon. Member says that my example of the landing of the French at Genoa does not apply. I say it does apply, because suppose one of the small ports on the south coast of England to be occupied by a hostile force, the enemy would have the same facility of landing men, horses, and guns, though not quite in the same degree, as the French had at Genoa. What my right hon. Friend (Sir G. Lewis) said is quite true, that there is hardly any instance in which a landing has been seriously attempted and not succeeded. How would a landing be effected? There would be a large naval force sweeping our beach with the most powerful artillery, and driving away the force that might be there to oppose the landing. To be sure, as the hon. and gallant Officer who has just spoken says, he would not give much for the heads of those who did land, even if they were 100,000 in number. But it is all very well to talk in that way. If the country is to be invaded for a purpose, the obvious course would be to land a comparatively small force to attack an undefended dockyard—destroy the elements of your naval force, and, when that was done, to let those troops surrender, to be very well treated, and then go back at the end of the war. ["Oh, oh."] Does any one imagine, in these days, that these people must all be put to death in cold blood? What I want to know is this, would it or would it not be worth while for any powerful rival of England to sacrifice 10,000, 20,000, or 30,000 men for the purpose of saving their own navy by destroying our arsenals and dockyards? The loss of a great battle, at Solferino, at Magenta, or any of the great battles in the Russian campaign was not much less than that, and to accomplish a much less object. It is plain that it would be worth the while of any foreign Power that wished to destroy our navy to sacrifice a certain number of men for the purpose of destroying our dockyards, and giving them necessarily afterwards the supremacy of the sea. There have been plans—all of us have seen them—of railways to run from one end of the island to the other, with traversing platforms running to any one point that might be invaded; but Government never dreamt of anything of that kind. Our purpose is limited to the defence of the dockyards; and, in spite of what has been said by the hon. Gentleman the Member for Liskeard—who first disclaimed the value of authorities, and then referred to them—I venture to think that we have authorities quite as good as he has adduced, both naval and military men, to whose opinion, being expressed on their responsibility, the Committee will attach more weight than they are likely to give to those quoted by the hon. Gentleman. But what made me particularly anxious to rise was not to answer what had already been sufficiently answered, but because the hon. Gentleman was pleased to say that I sneered the other day at free trade and the commercial treaty with France. [Mr. BERNAL OSBORNE: Hear, hear!] I mean to say that I did no such thing. ["Oh, oh!"] I attach as much value as the hon. Gentleman does to commercial treaties and free trade. In their full value I respect them, and I respect the hon. Member who had a great part in enforcing the principles of the one and carrying the other into effect. But what I did was to animadvert on the false application of these principles to a result on which they do not bear. I stated that in my opinion it was nonsense to say that there was no likelihood of an invasion from a great foreign Power because we had established the principles of free trade and had a commercial treaty with them. On a former occasion I cited the example of the United States of America, as a proof that we cannot place any reliance on commercial relations to maintain peace. I said there were no two countries which had such intimate commercial relations as Great Britain and the United States—no countries between which the links of common interest were stronger, or between whose people there appeared to be a stronger sympathy; but in spite of all that, when popular passion was excited on some question that appeared to disturb the honour of the two countries, we saw the two countries on the very verge of a rupture. Therefore I said, and I say again, it is nonsense to tell us, as the permanent foundation of our policy, that we have a commercial treaty with any country, and that we have established the principles of free trade. When we are talking of military and naval defence, you must rely on those means which science gives you for defence. That is quite a different thing from the ordinary transactions of peace with regard to which treaties of commerce and the principles of free trade have their value, but which these works of defence do not overbear.

MR. BERNAL OSBORNE: I do not think the Committee will be of opinion that any answer has been made to what I said. The right hon. Secretary for War came down, as he said, out of compliment to me, to say a few words; but he did not answer the speech I made. He admitted what I said with regard to Fort Elson, yet he calls for more money. The noble Lord the First Minister has taken his own line—

> "I am Sir Oracle;
> "And when I ope my mouth, let no dog bark."

He says no man is sensible or in his senses that differs from him. ["Oh, oh!"] It amounts to this. That is not a tone to be assumed to independent Members, or to any Member of this House. If hon. Members are prepared to vote these large sums of money on the unsatisfactory arguments adduced by the right hon. Secretary for War, and on the sort of personal arguments made use of by the noble Lord, they will be sacrificing their duty to the country, and, sooner or later, the country will awake to the delusion promoted by the First Minister.

MR. HADFIELD said, that the attack which had been made by the noble Lord the First Minister on the apostle of free trade had made a great impression in the north of England. The noble Lord had fallen before, and was raised by the hand of the Manchester school; and when the noble Lord next fell, he might rise again.

MR. COBDEN: I feel that I can hardly avoid doing what I had no intention of doing—saying a very few words on this occasion. I duly appreciate the kind advocacy of my cause by my hon. Friend the Member for Sheffield (Mr. Hadfield). I am also sensible of the kind intentions of the hon. Member for Liskeard in throwing his potent shield over me. But as to the attacks of the noble Lord, why, I have been too long in this House to take them very seriously from that or any quarter; and I have gone through too much, I think, to warrant any fears, on the part of myself or friends, of suffering any great injury. I have had some passages of arms in this House with those who I think in history will be recognised as the superiors of the noble Lord; and if I am to have an antagonist, I should be inclined to prefer the noble Lord to any other in this House. It was the saying of Dr. Johnson, of his friend Sir Joshua Reynolds, that he did not know any man against whom, in case of a quarrel, he should have found it so difficult to say anything. Now, I must say I think the noble Lord is about the most vulnerable of living statesmen in this country, or, perhaps, in any other. I do not know that I should have risen but to ask the indulgence of the House while I refer to something said the other night by the noble Lord, in which he flatly contradicted me on a matter of fact. It is not, I know, consistent with the order of the House to go into any argument relating to a past debate; but I will not go into argument—I will do no more than recite a fact. I stated, it will be remembered, in the course of some remarks made in a recent debate, that the last Chinese war originated in the act of Mr. Bruce, who, in proceeding to Pekin to exchange the ratifications of the treaty, insisted on going one way, while the Chinese authorities invited him to go another; I stated that the treaty had been ratified, and that all that had to be done was to exchange those ratifications. The noble Lord had stated the contrary. I ventured to express my disapproval of his inexactness. He then flatly contradicted me, and advised me to refer back to the papers. I will just give the noble Lord's own statement, and not trouble the House with any comments upon it. The question of the origin of the Chinese War in 1859 came on in this House on the 13th February, 1860, when Lord John Russell, then Foreign Minister, said—

> "The Treaty of Tien-tsin had been signed and had received the special approval of the Emperor of China. Nothing but the ratification remained to be given, and it would have been impossible for us, because Her Majesty's forces had suffered a loss—because 400 or 500 men had been killed or wounded—to give up a treaty solemnly agreed to, or to retreat from conditions to which the Emperor of China had given his assent."—[3 *Hansard,* clvi. 945.]

On a subsequent occasion (March 16, 1860) the same subject was again brought up, and Viscount Palmerston said—

> "A treaty has been concluded with China. That treaty has been approved by the Emperor. We want the ratifications to be exchanged; we want the treaty to become a formal and acknowledged compact between the two countries."—[3 *Hansard,* clvii., 807.]

Now, I will not use one word of comment upon that, further than just again to beg the noble Lord, when he makes statements in this House, to reflect a little before he makes them. I do not charge him with wilful inaccuracy. He does not meditate enough, apparently, to be wilful in these matters, but he is careless. Sir, since I am on my legs, I wish to say a few words on the subject before us, not, however, in a technical sense, for I have no technical knowledge of fortifications. If I have any knowledge at all on any subjects in this world, it is because I have been docile all my life in seeking to learn from people who know better than myself. On the question of fortifications and shipping I take what I believe to be competent authority. I only try to analyse and balance what I believe to be the best sources of information, and then judge accordingly. But there is no doubt this fortification scheme, and all that belongs to it, is simply and solely the work of the noble Lord. If by any accident the noble Lord disappeared from the scene to-morrow—which Heaven forbid!—does any human being believe that this fortification scheme would go on? Why, look at his colleagues. Look at my right hon. Friend the Chancellor of the Exchequer. Why, that right hon. Gentleman has been the very breath of the nostrils of the present Administration for the last two years. What keeps the party together, and excites any confidence in the Government on the part of those who represent the large constituencies and who alone can give any solidity to a Ministry—Whig or Liberal? Why, their faith in the Chancellor of the Exchequer. There is no doubt, that if the Chancellor of the Exchequer went out of the Government, it must break up within a fortnight. I can answer for it that sixty or eighty men on this side of the House would invite from the other side a step which would put the Government out rather than that we should be responsible for its course, if we had not some lingering hope that in consequence of the presence of the Chancellor of the Exchequer and the President of the Board of Trade, and other elements, we should have something better at its hands than we are now receiving. But when I say that the noble Lord is carrying this measure of the fortifications without the slightest sympathy or support from the Chancellor of the Exchequer or my right hon. Friend, I am not hazarding an opinion about which there can be any doubt. Why, the Chancellor of the Exchequer has ostentatiously abstained from giving his support, or even lending the countenance of his presence, when these matters have been brought on. There can be no question, therefore, that this scheme is solely and entirely the work of the noble Lord. I have sat in this House for twenty-one years. I came in on the downfall of the Whigs in 1841. The noble Lord was then always the coadjutor and patron of the late Sir Charles Napier, that well-known advocate for increased armaments, to whose demands he gave respectability. From that time down to the break-up of Sir Robert Peel's Government in 1846 the noble Lord went on urging an increase in our armaments and repeating the phrases which he still repeats, as I could easily prove from a dozen places in *Hansard.* And on what ground has he proceeded? Why, he knows no more than I do about fortifications. He is not a military or naval authority, and must, I suppose, take his opinions, as I do mine, at second-hand. Well, there has been this one dominant idea running all through the noble Lord's arguments on this head—namely, that steam has altered our position to our disadvantage, and that we are no longer so powerful with reference to France as we were before steam was invented. *Apropos* of that point the hon. Member for Liskeard has quoted some authorities, and among others Admiral Berkeley. In the Committee which sat on the navy in 1848 I heard Admiral Berkeley state in his evidence that steam had given us the best security against invasion. I was on the Select Committee which sat on the Ordnance in 1849, and I heard Sir Thomas Hastings examined on this subject. That officer had been selected by Sir Robert Peel, in 1844, as the Chairman of a Defence Inquiry, and went along our coast with a view to devise the means of protecting our shores. Well, in his own emphatic language, Sir Thomas Hastings told the Select Committee that if we only made proper use of the power at our disposal steam gave us the best possible security against such a danger. Again, Sir Charles Napier—although the noble Lord was always his patron and brother agitator in this House for increased armaments—differed from the noble Lord, and ostentatiously took the opportunity of expressing that difference. I have heard Sir Charles Napier myself distinctly state that steam had given us, for the first time, the only true guarantee against invasion, because it afforded the only means of securing a constant blockade. I remember, too, that Captain Scobell expressed a similar opinion. Whom then are we to believe—authorities such as I have quoted, or the noble Lord? On what ground does he lay it down here dogmatically that we are now placed at a disadvantage as compared with our position before the introduction of steam? I ask him to give us his authorities who will countervail the names I have cited. Well, but it is not naval and military men only who may be quoted. At an early period of my experience in this House a circumstance happened to which I must refer, because it affords another example, a flagrant example, of the inexactness and carelessness of the noble Lord in the statements which he makes to us. It occurred in 1845. On that occasion the noble Lord had already mounted this hobby of his, that steam was the great danger of this country. He was fond of saying that the application of steam to navigation had spanned the Channel with a steam bridge. That simile occurs a dozen times in his speeches from 1842 downwards. Let nobody undervalue the force of these repetitions of a phrase, because by dint of them we come at last to believe them ourselves, and we make others believe them also. In 1845 the noble Lord, in an harangue intended to induce Sir Robert Peel to increase our armaments in some direction, launched this favourite idea of his. Sir Robert Peel controverted it. That led to the noble Lord rising again to explain himself. I will read these passages. On the 30th of July, 1845, Viscount Palmerston said—

> "In reference to steam navigation, what he (Viscount Palmerston) had said was, that the progress which had been made had converted the ordinary means of transport into a steam bridge." [3 *Hansard*, lxxxii., 1233.]

Sir Robert Peel, immediately following, in reply said—

> "The noble Lord (Lord Palmerston) appeared to retain the impression that our means of defence were rather abated by the discoveries of steam navigation. He (Sir Robert Peel) was not at all prepared to admit that. He thought that the demonstration which we could make of our steam navy was one which would surprise the world; and, as the noble Lord (Lord Palmerston) had spoken of steam bridges, he would remind him that there were two parties who could play at making them." [3 *Hansard*, lxxxii., 1233.]

Now, comes this flagrant specimen of the noble Lord's inexactness. I purposely use that long and rather French word because I wish to be Parliamentary in what I say. The noble Lord, in speaking of this very Fortifications Bill when he brought it in on the 23rd of July, 1860, said, still reiterating the same argument—

> "And, in fact, as I remember Sir Robert Peel stating, steam had bridged the Channel, and for the purpose of aggression had almost made this country cease to be an island." [3 *Hansard* clx., 18.]

Now, I happened to hear all that myself, but I am afraid to say so, because I may be contradicted. But now I will make a suggestion to the noble Lord. Will he send one of his Junior Lords of the Treasury to the library to get *Hansard?* I give him the volumes—*Hansard*, vol. 82, p. 1233, and vol. 160, p. 18. The noble Lord will probably speak again, as we are in Committee, and it would be a graceful act if he would get *Hansard* to satisfy himself of that gross inaccuracy. Moreover, it would only be just to the memory of a great statesman, and it is also due to this House that he should admit his error and recant it. There would be a novelty about such a proceeding that would be quite charming. Let him admit that he is wrong. I will forgive him the China inaccuracy if he will only get *Hansard*, and admit that he was wrong—that it was a fiction—quite a mistake of a treacherous memory. But the serious question is, what kind of opinion shall we form of the noble Lord's judgment? He is not only rash, but I doubt his judgment; for when I look back through his career, I cannot find evidence of a careful selection of facts or collection of authorities, or anything calculated to form a reliable judgment, such as a statesman should observe. How has the noble Lord arrived at his idea that the introduction of steam, whether applied to navigation or to cotton-spinning, or to machinery of any kind, can have been disadvantageous to England? I would ask the Committee in what direction steam could be employed in which England would not manifestly be greatly benefited? We have all the elements for success in such a career; we have iron and coal in greater abundance than any other country in Europe; and where is the statesmanship—where the capacity for judgment, in endeavouring to delude thoughtless people into the belief that the introduction of steam has been disadvantageous to this country? I am not going to argue about fortifications, but I must say one word as to the present moment for doing these things. Fortifications may be desirable under certain circumstances, but an expenditure for fortifications may not be desirable under other circumstances. Bear in mind that when you employ a number of Engineer officers to devise a scheme of fortifications, they do not at all consider the question of expense. I remember in the Ordnance Committee of 1849 one of the officers who had been employed in some of these vast schemes of fortifications was examined, and the rather pertinent question was put to him, "Do you take the expense into account?" "No," he said, "we never take the expense into account; it is not our business." If you give a certain number of engineer officers a certain line of coast, or a certain territory, and say, "Give me fortifications that will secure that point against any strategic movement that may take place in case of war: they might go to work and make circumvallations and detached forts, and create a Sebastopol in every county in England, admirable as specimens of professional skill; but when we come to the question of cost, it is our business to see whether the time or the circumstances warrant the outlay. When this scheme was launched, in 1859, the country was in different circumstances from what it is now. Then we were at the crest of the great wave of prosperity that had been rolling on for many years, and which had made us careless as to economy and indifferent as to politics. We did not care whether a man joked away our money, or husbanded our resources according to the statesmanship of old. I am not so churlish as to quarrel with people because they are disinclined to make themselves discontented or to become agitating politicians when they are prosperous. I am glad always to see the nation prosperous, because I am convinced that a few years' prosperity must elevate the people morally, as well as benefit them materially. Let no one think that I look with satisfaction to any change of circumstances that may bring the minds of the people into a different temper with regard to politics or politicians. But how changed are our circumstances! The daily conversation that I have with gentlemen who represent the great hives of the North fills me with alarm; but no one here seems to have cared to look to what is coming upon us, perhaps in a few weeks—certainly in a few months. Is this a time—are these circumstances, under which the House ought to be engaged in discussions upon fortifications? Where is the immediate danger? Is there any danger from France commensurate with the danger of internal difficulties? The hon. Member for Merthyr Tydvil, who is almost the only Member besides the noble Lord who has supported this project—for we cannot call the speeches of the Secretary for War a serious advocacy of the scheme—the hon. Member for Merthyr Tydvil talked about Hannibal and Cæsar, and came down to Bonaparte, when he put hypothetical cases as to what might have happened in 1804, when we were threatened with invasion. But the invasion did not come, and the hon. Member admits that 400,000 armed men sprang up here, and no one dared to come and molest them. Are we now in such a state of florid prosperity—have we nothing to think of but how to expend the public money by millions in projects of this kind, upon which, to say the least, the authorities are divided? There is the hon. and gallant Gentleman opposite (Sir F. Smith) whose courage in continually urging these technical points upon the House I greatly admire. He is a great authority about fortifications, and he is opposed to this scheme. Then there is also opposite a gallant captain, a seaman, who opposes the scheme, and we know that Sir John Burgoyne is opposed to this absurd plan. There are differences of opinion on a matter which I do not profess to understand, but on one point we are all competent to judge, and that is whether there is any immediate danger from any quarter that requires us to be fortifying ourselves in addition to a fleet larger in proportion to that of France than any we ever had before, as far as I can find. Is there anything calling for that; and, if there is not, would it not be better for us, and for the country, if we for the present discarded the subject, excepting those parts of the plan which have been begun, and which should be finished? And I say, in reference to the present state of things, do not mock the people by these discussions upon a scheme that has no form or consistency, except in the mind of the noble Lord. It is his idea, as I said the other night. The noble Lord repeated the word. He is possessed with the idea. I could have used a shorter or a longer word, but I call it his idea. But is this House so abject—is it so impotent, that it can exercise no authority in this matter? I should say, if this and kindred measures are to be carried by the advocacy of Gentlemen on the other side, but not of the heads of the party, who are too wise to advocate them—if the noble Lord is to carry such measures by the aid of Gentlemen on the other side who represent the least advanced portion of the Conservative party, and in spite of the opposition of those who represent the largest, the freest, and the most important constituencies upon our side of the House, it will become a serious question whether something ought not to be done to make those who really govern bear the responsibility of governing, and not the noble Lord. It is right that those who enable the noble Lord, in opposition to the wishes of the most enlightened of his colleagues, and in the very teeth of the men who sit around him, to carry on the Government upon high Tory principles, should be made responsible for its administration.

THE CHANCELLOR OF THE EXCHEQUER: I am sorry to have to ask the indulgence of the Committee for a single minute, but there was one expression of my hon. Friend who has just sat down which renders it necessary for me to say a few words. My hon. Friend said that I, in a marked manner, had shown disapproval of the project of fortifications which has been before the House during the present Session and in 1860, by absenting myself from the House during the discussions. Now, I hold that it is not competent to any man, being a Minister of the Crown, and having given his assent in the Cabinet to any measure whatsoever, to testify his disapproval of it, or to exempt himself from any jot or tittle of responsibility in respect of it, by any means whatever, and least of all by absenting himself from the House. I am not surprised at the remark of my hon. Friend, for it did happen, that when the statement was originally made by my noble Friend, for some hours upon that evening I was not in my place. But my absence upon that occasion was due in the main to accident, and in no degree whatever to the motive which the hon. Member has imputed. The plan now before the House is one with respect to which I may fairly, with my hon. Friend, plead personal incompetency to pronounce a precise judgment as a military scheme, but at the same time it is a plan to which I stand pledged and committed as a Member of Her Majesty's Government. It is not, indeed, the plan of the Commissioners, but it is a restricted and partial adoption of their plan of 1860, and to that partial adoption I assented upon considerations which appeared, and still appear, to me to be sufficient. I repeat that never in respect of this measure or any other have I at any time attempted, or shall I ever attempt, anything—I might say so futile, so culpable, as to attempt to evade or diminish Ministerial responsibility by absenting myself from the House.

VISCOUNT PALMERSTON: Sir, I wish to say a few words, after what has fallen from my hon. Friend the Member for Rochdale (Mr. Cobden). I am sorry his temper has been so much ruffled. My endeavour always is, when I am attacked, as I was by him the other night—[*Cries of* "No!" *and cheers, which prevented the noble Viscount from finishing the sentence.*] Well, there was not one sentence in my hon. Friend's speech in which he did not bring in "the noble Viscount did this," or "the noble

Viscount said that," and his speech was a personal attack on me from beginning to end. I always endeavour, in a case of that sort, to do what an Englishman is very apt to do, and that is to give a man as good as he brings; and then, when that is done, I go home and think no more about the matter. My hon. Friend, however, seems more thin-skinned. I have been longer in this House than he has, and I advise him never to make a violent personal attack upon any one if he is not prepared to receive an answer in return, for he may depend upon it that whoever he attacks, if he be worthy of attack, will defend himself to the best of his power. I am sorry that after this interval my hon. Friend should rise under a feeling of so much resentment. He seems to think that the only contest in this House ought to be that described in the line—

> "Rixa est, ubi tu pulsas, ego vapulo tantum"

—and that all the innings ought to be on his side. My hon. Friend, however, may depend upon it that this will not be his fate. It is very curious that my hon. Friend accuses me of inexactitude and refers me to *Hansard* to prove my error. I do not feel much disposed to follow his example, because he and I differed the other evening on a matter of historical fact. He contended that the Emperor of China had ratified the treaty of Tien-tsin. I said he had not. After two or three days' delay, my hon. Friend brought down a blue-book to confirm his assertion, and proceeded to read a passage which completely substantiates my statement. [Mr. Cobden intimated dissent.] Let my hon. Friend read it again if he pleases. I did not the other night read the whole of the case; but the fact was just as he read it, and as I stated it. The Emperor of China wrote to one of his mandarins to say that he approved of the treaty; but when he was called upon to ratify it, and exchange ratifications, which process alone could give it international value, he refused, and that which my hon. Friend read confirmed the statement I made.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 110; Noes 62: Majority 48.

On Question, That the Clause stand part of the Bill,

SIR DE LACY EVANS said, that the hon. Member for Liskeard had stated that the plan proposed was not that recommended by the Defence Commissioners. It also appeared that the Government had reduced the expenditure proposed by the Commissioners, with which reduction the hon. Member for Liskeard ought to be well pleased. He (Sir De Lacy Evans) had to complain of want of information—that no plans or sections had been laid before the House. The hon. and gallant Member for Harwich (Captain Jervis) had said that it was proposed to reduce the works at various places; he wanted to know whether the Government had sanctioned those reductions.

SIR GEORGE LEWIS: In answer to my hon. and gallant Friend, I had better state the course pursued from the beginning when the plan was first taken up by the Government. The first step was to issue a Royal Commission in 1859, to report on the defence of the arsenals and dockyards. It has been stated that the Government has proceeded without adequate professional advice, that they have undertaken to form a judgment on purely scientific matters, and that this plan is the plan of my noble Friend at the head of the Government. Nothing can be more erroneous. Every portion of the plan has been elaborated and most carefully considered by professional persons, and every one must see that my noble Friend would be the last person in the world to undertake to decide upon professional questions of this kind without proper professional advice. The first step was to appoint a commission composed of Sir Harry Jones, General Cameron, Rear Admiral Elliot, Sir F. Abbott, Captain Cooper Key, Captain Lefroy, and Mr. Ferguson, a civil engineer. The Committee would see that there were on that Commission men the most competent to give advice, and it was impossible that the Government could do more than select a number of eminent men, and then act upon the advice which they had given. The objection has been sometimes made that we have not consulted such and such eminent military authorities—Lord Clyde, for example. But at the time the Commission was appointed Lord Clyde was, if I am not mistaken, in India, and it was not possible for the Government to include him in the Commission. I would venture to say, if the Government had formed a Commission of the persons whom it is said we ought to have consulted, it would be objected that we had not consulted Captain Cooper Key, and other persons eminent in their respective walks. The Government could not consult everybody in the country. The Commission reported in February, 1860, and recommended the plans which were subsequently adopted. One large reduction in the cost was made by excluding floating defences, the expense of which was not thought proper to be defrayed by a loan, and therefore the sum which they were estimated to cost was omitted. Some other reductions were also made, but subsequently the plan recommended by the Commissioners was adopted, and is now being acted upon. The plan of the Commissioners was submitted to Sir J. Shaw Kennedy, Sir John Burgoyne, and other distinguished officers, and approved by them. The name of Sir John Burgoyne has been made use of as if he was hostile to the plan of the Government. I really am not aware what has brought hon. Gentlemen to that conclusion. Sir John Burgoyne is officially concerned in the preparation of the plans, and I believe I can state with confidence that there is not a single plan of those now in progress which has not received the official approbation of Sir John Burgoyne. In the evidence before the Select Committee on Military Organization, Sir John Burgoyne was asked whether he would not be satisfied until the arsenals were properly fortified, and he said he would not. He was also in favour of an increase of the army, but then he has expressed a distinct opinion that the arsenals ought to be defended. After the Defence Commission reported, their Report was submitted to two committees, composed of the most eminent military and scientific men, and both approved the plan. I think I have now given the explanation required by my hon. and gallant Friend.

Sir DE LACY EVANS said, the right hon. Gentleman had not answered his question, which was, whether there was any authority for the reductions which had been mentioned by the hon. Member for Harwich?

Sir GEORGE LEWIS said, if my hon. and gallant Friend will refer to the estimate which I have laid upon the table, he will find full details. We do not propose to take any sum for Chatham or Woolwich in the present year, but I am not aware that any other alterations in the designs have taken place. The Spithead forts are to be suspended until next year.

Sir FREDERIC SMITH said, he was ready to admit that the Commission was composed of very intelligent men, but they went to the subject with the determination to make their work complete, and they therefore gave the *maximum* and not the *minimum* of defence. Now, what the taxpayers of this country desire is to have security at the least cost, but the question of finance does not seem ever to have entered into the consideration of these extravagant Commissioners. No doubt, their plan would be very complete if the country was able to pay for the troops required to man the proposed works; but he contended it was not. The Committee over which His Royal Highness the Duke of Cambridge presided, and to which the Report of the Commission was referred, had expressed doubts of the possibility of finding garrisons, but had given a general approval of the works. How was it that both Woolwich and Chatham were left out of the scheme of the Government? The Commissioners were of opinion that Woolwich ought to have some defences; and if the Commissioners were to be treated as authorities at all, he would ask why their recommendations were not to be carried out as to Woolwich? He would read the statement of the Commissioners. Woolwich Arsenal and Dockyard were most important places as regarded the land and naval forces; and if they were to fall into the hands of an enemy, it would be equivalent to the loss of an army. Chatham, likewise, was a position of considerable military importance; but it appeared, that if an enemy were to land at Folkestone, or at any other unprotected place on the south east coast, there would be no sufficient defence for the security of Woolwich or of Chatham Dockyard, and no means to establish a force to act on the rear or flank of the enemy marching to London. The Commissioners, in Clause 156, say—

> "We are, nevertheless, of opinion that it is very unadvisable that the arsenal should be left, as at present, so wholly undefended as to admit of an enemy taking possession of it immediately he had succeeded in reaching the outskirts of the capital; and we have therefore considered whether any other plan, of a less extensive character, which would not be subject to the objections incident to the larger prospects (described in an earlier part of the Report), can be adopted. It appears to your Commissioners that a large work of fortification upon Shooters Hill, which commands the whole of the country in the neighbourhood of Woolwich, would have great influence in the de-

> fence of the Government establishments, whilst it would be only about one-third of the cost of the lesser project before referred to, and would require a comparatively small body of men to hold it. It would provide a place of security in the neighbourhood of London, and would aid in the protection of the metropolis, supposing the enemy to be advancing from the south-east; thereby in all probability preventing his taking that line of attack, and enabling us to direct our attention more particularly to other points. It would form a nucleus to field works which might, if circumstances rendered it desirable, be thrown up in this quarter; and in case of a battle being lost to the southward of London (in which event the enemy would most probably attempt to turn the right flank of our army in order to force it to retire across the Thames to the eastward of London, where there are no permanent bridges), the fortifications of Shooters Hill would cover its passage over the military bridge which would necessarily be formed for the purpose about this point. Without the means of covering such a retreat, our army would be shut up in the district to the south-east of London, and its communications with the interior of the country might be cut off. On these grounds, therefore, we recommend that Shooters Hill be permanently fortified."

Again, the Commissioners say—

> "We may add that the introduction of rifled cannon, with all their attendant requirements, has within the present year given fresh development to establishments which were already of great extent, in comparison with foreign arsenals, and of more than proportionate importance, being the only ones of the kind existing in Great Britain, and the sole national reliance for many supplies."

It is scarcely possible to conceive stronger reasons for the fortifying of any point than the Commissioners have given for the fortifying of Woolwich, which is notoriously the most vulnerable of the national arsenals. To a certain extent every other arsenal is protected, and is quite secure against a *coup de main;* but Woolwich has no defence whatever; and as it is approachable by the River Thames as well as by land, its neglect by the Government is quite inconceivable when they are lavishing expense upon other points, not more important, but far more secure. Now, what do the Commissioners say in reference to Chatham, which is equally neglected and ignored by the Government? In Clause 143 they say—

> "Independent of the importance of the Dockyard (of Chatham), to which we have referred in a preceding section, Chatham occupies a position of considerable value in a military point of view. It is situated on the main road from Dover and East Kent to London, at that point where the Medway is crossed by two contiguous bridges (one being a railway bridge) above which the river is for several miles impassable for an army unprovided with a pontoon train; whilst the difficulty of effecting a passage between the dockyard and the mouth of the Medway, owing to the marshy nature of the banks of the river, and the general conformation of the neighbouring country, renders it extremely improbable that an enemy would attempt to cross below the bridge. Chatham being, moreover, near the left flank of the commanding range of chalk hills which, extending through Kent and Surrey to Guildford, terminates near the camp at Aldershot, and near the right of a range of a similar character which runs towards Dover, it has a strategical importance which might be useful under certain circumstances of attack."

Again, in Clause 144, the Commissioners observe that—

> "An enemy who had landed near Deal, and should be marching on London, would be obliged to attack the fortifications of Chatham, or to make a considerable detour by Maidstone; in the latter case Chatham would be on his right flank, and after he had crossed the high chalk range near Wrotham, the garrison of Chatham might harass his rear, unless he detached a considerable force to mask it. Again, the garrison of Chatham, aided by that of Dover, operating along the chalk ridge between those two places, would threaten the communications of a hostile force which had succeeded in landing on the coast to the westward of Dover.
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> "Further, in the event of an enemy having effected a successful disembarkation on the coast near Harwich, the garrison of Chatham would be favourably placed for moving across the Thames to the aid of our army operating in that direction, or for the purpose of acting on the left flank of the enemy.
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> "These circumstances, combined with the growing importance of Chatham, and the fact that it is our great naval establishment in the eastern part of England (for, as we have already stated, Sheerness dockyard is of comparatively small importance), have led us to the conclusion that there are abundant reasons for adding very considerably to the existing fortifications."

Can language be stronger than this? can military arguments and opinions be of greater weight? and yet, for some unaccountable reason, the Government have resolved to postpone doing anything for the security of this vital point, and are positively throwing away a large sum of money for the defence of Dover, which secures nothing, but demands for its garrison an amount of troops that could ill be spared.

COLONEL SYKES said, that the right hon. Baronet the Secretary for the War Department had referred to some expression to the effect that it would be unmanly for British soldiers to skulk behind stone walls. He had not heard such an expression fall from any hon. Member in that House, but he had himself said, that in consenting to the necessity of protecting all the arsenals against a *coup de main*, he felt that the means adopted were more expensive than necessary, and that there were other means for the purpose less expensive. To that declaration he had added the expression of his confidence that there was no degeneracy among the descendants of the English victors in the ancient battles on the plains of France and Germany, and in the hundred battles in India, which should require for them in these days, more than in former times, extensive fortifications on our shores. Those were the words he used, and the opinion he had expressed he still entertained, and believed it to be in accordance with the public feeling of Great Britain. Then, with regard to the statement that extensive fortifications on the coast were an insult to the navy, it must be observed that the fortifications were not necessary so long as the British navy had the dominion of the ocean, and it was an insult to the British navy to suppose that it should ever be in such a condition as to lose that dominion.

SIR MORTON PETO said, that when he addressed the House on a previous occasion, he did not desire to convey that he was insensible to the necessity of rendering the dockyards entirely secure; but he felt that a different mode from that pursued ought to be adopted. When this country had the command of the sea, it practically did not require extended fortifications. Moreover, the immense abstraction of force to defend their arsenals would render them unable to provide for the defence of the Thames, the Mersey, the Clyde, and other estuaries near the principal seats of their commerce and manufactures. Sir John Burgoyne had shown that the excessive expenditure involved in the plan was not called for. That authority had given it as his opinion that earthworks over Portsdown would be a sufficient defence.

SIR GEORGE LEWIS: Sir John Burgoyne approved of the works.

SIR MORTON PETO said, he thought that such approval was consistent with his opinion that such works need not be constructed. He (Sir M. Peto) had been charged in a semi-official document, which had been placed in the hands of hon. Members as a reply to his own pamphlet on the subject, with manipulating the evidence and perverting the facts of the case. He believed he should be able to give a perfectly satisfactory answer to the charge; but he did not think the House of Commons was a proper arena for such a discussion. He declined, therefore, to discuss the question at that time, but before the following Saturday he would certainly place in the hands of hon. Members a refutation of the charges which had been made against him.

SIR GEORGE LEWIS thought that his hon. Friend had adopted a very judicious course in not making that House the scene of a controversy with an anonymous writer. In reply to the hon. and gallant Officer, he had to state that the fortification of Woolwich was never any part of the scheme of the Defence Commission. Woolwich could not be considered in a very exposed position, as a hostile fleet must penetrate far up the Thames and nearly reach London before it could make any attack upon the town, and the fortification of Woolwich would involve the cognate question of fortifying the metropolis. The works at Chatham were a part of that plan to which the Government still adhered; but as there were many other works in progress, it was thought desirable to postpone them till a future year.

MR. H. A. BRUCE said, that he should like to know what the Government intended to do with respect to the removal of their great arsenal to a more central situation. There was, in his opinion, no force in the observation that the 90,000 men who would be required for the occupation of these forts would be needed for the defence of Glasgow and Liverpool. In the case of an invasion the Militia and Volunteers would be doubled or trebled; and although the rawest of these troops might be unfit alone to defend such works as those at Plymouth or on Portsdown Hill, they would be valuable auxiliaries to more trained soldiers. Lord Clyde had told him, that if he had the command of the army, he would not put a single regular soldier within these fortified places, and that he believed that the Volunteer artillery would be quite adequate to the performance of all artillery duties within them. It ought also to be remembered that within the lines of these fortifications there would be room to drill and form troops, to take part in field operations if the campaign should be prolonged.

MR. LINDSAY said, that if the numbers of the Militia and Volunteers were to be doubled, that would give a force of between 600,000 and 700,000 men to defend their shores, in the face of which invasion would be an idle dream. In any comparison between the comparative strength of the navies of England and

France, the essential point to consider was the tonnage; and the fact was, that while France had 23,000 tons of iron ships ready and afloat, England had 47,000 tons afloat, showing that England was relatively stronger than she had ever been before. A considerable time must elapse before the 400 transports which would be required to bring over an army from France could be got ready; and, moreover, those vessels would be able to make little head against one of the ironsides in the Channel. The expenditure which the Government were incurring was a waste of public money, which was not only wanton, but cruel in such a period of domestic distress.

SIR GEORGE LEWIS said, that the establishment of an arsenal in a central place formed a part of the Government scheme, but was not deemed to be of an urgent character. Although still under consideration, no steps had been taken in regard to the matter.

SIR DE LACY EVANS said, he would acknowledge that the question of a central arsenal was very complicated and difficult, but he held that the Government, having taken it up, were bound to proceed with it. It seemed very inconsistent to spend large sums in fortifying various arsenals throughout the country, and at the same time to leave the most important of those establishments in a position of insecurity. Woolwich was conveniently situated for the loading of vessels and the embarkation of troops; but, on the other hand, a great mass of material and stores was left without any defence whatever, and no effective protection could be given to the place without works on both sides of the river, which would involve a vast expense. The question, then, was whether a large proportion of the stores at Woolwich should not be transferred to a more secure and central position. He believed that the locality recommended by the Commission was Cannock Chase, and he hoped the Government had not altogether discarded that proposal from their consideration. He concurred with the hon. and gallant Member for Chatham in thinking that care should be taken to defend Chatham in an efficient manner, as it was a position of great importance. The strength of our navy was by no means so indisputable as the hon. Member for Sunderland appeared to imagine. There had been of late a controversy on the subject, in which very competent and experienced persons had taken part on different sides, and it was, at the least, unsatisfactory to find our naval superiority questioned at all. He advised the hon. Member, therefore, not to be so confident on that score, and, above all, not to take his facts from the French Minister of Marine.

VISCOUNT PALMERSTON: Two points have been referred to by the hon. and gallant Gentleman opposite which are of first-rate importance—Chatham and Woolwich. With regard to Chatham, it is, as my hon. and gallant Friend who has just sat down says, the left of the line of defence for London, and it becomes still more important on account of the works now going on there in the shape of docks and arsenals. Therefore the Government have by no means given up the intention of defending Chatham; but, as my right hon. Friend as stated, there can only be a certain number of works superintended at the same time, and as there is much more to do independent of those particular works, it is not proposed to ask this year any Votes on their account. With regard to Woolwich, the Commission represented that as any real and effective defence of that place would involve a very extensive line of works, it would not be advisable to incur the expense those works would entail, and that if they were made, a large number of troops would be required to man them. As stated by the hon. and gallant Officer, works not simply on that side of the river, but an extensive line of works on the northern side, would be required to keep the enemy off. Therefore it was thought advisable to have some central place where, at all events, a sufficient amount of stores might be placed in a position of security, because it is evident, that if any considerable body of troops landed and made a dash at London, Woolwich would be at their mercy; but the Government have not yet made up their mind on the subject. It is, however, one highly deserving consideration, and it will, no doubt, receive due attention on their part.

SIR FREDERIC SMITH said, he would remind the noble Lord that subsequent to the plan of extensive fortifications at Woolwich, the Commissioners proposed that there should be merely a large work on Shooters Hill, which would command the district, and be of great influence in the defence of the metropolis, as well as of Woolwich. That work, it was estimated, would cost only £700,000. He hoped, that even if an arsenal were established in a central spot, the Woolwich factories would not be entirely given up.

Sir GEORGE LEWIS said, that the object of the Government was to form a great magazine of military stores and munitions in a safe central place, secure from the dangers to which Woolwich was exposed; but the removal of the factories from the latter situation had not formed part of the plan. The policy of taking that step had, however, been considered by the Committee on Ordnance which was now sitting. He believed that some of the most competent officials connected with Woolwich were of opinion that, in the not very probable event of the place falling into the hands of the enemy, the manufacturing organization there was so perfect that it could be transferred at once to any place in the interior, where stores had been collected, and put in operation there.

Sir JOHN HAY said, that that was only the opinion of an individual witness and not of the Committee.

Sir GEORGE LEWIS said, he had only stated it as the opinion of competent persons connected with Woolwich.

Mr. DISRAELI said, he must protest against any discussion being raised out of evidence which was not before the Committee.

Clause 1 *agreed to.*

Clause 2 (Treasury to raise £1,200,000 by creating Annuities for a Term not exceeding thirty years).

Sir STAFFORD NORTHCOTE said, he had a proviso to add to the clause, with the view of restricting the appropriation of the money voted for particular works according to the specific details of a schedule to be incorporated in the Bill. He regretted that the number of Members then present was not greater, as he had been anxious to explain to the Committee what the precise bearing of the Amendment was. All questions of the kind were rather dry and complicated, and he was anxious that the bearings of his proviso should not be misunderstood. Owing to the forms of the House, he had been unable to give the explanation which he had desired on two previous occasions. In the first place, all he had to say would have reference to an altered and not to the existing schedule. Instead of the existing schedule he desired to have the table of returns which had been furnished by the Government annexed to the Bill by way of schedule. In that return there was a list of stations which were distributed into districts, and these again contained the names of the particular forts to be constructed, with the total estimated cost of each, and the estimate of the whole cost for the first year. Thus the station of Portsmouth was divided into the several districts of Spithead, the Needles, the Isle of Wight, &c.; and under Spithead there were the several forts, as Horse Sand Fort, and others. Now, the hon. and gallant Member for Harwich (Captain Jervis) seemed to think it would be impossible, if this proviso were adopted, to spend upon any particular fort more than was set down in the year. That was not the object. An accident might happen to delay the work at one particular fort, and there seemed no reason why the money in that case should not be applied to another fort in the same district. The proviso was not quite so strict as to prevent that. In the first place, it provided that no sums of money should be spent except upon works named in the schedule. To that he thought there could be no reasonable objection. It then provided that it should not be lawful to apply to any work any greater sum than that set down in the schedule as the total estimated cost of the work. To that, also, he conceived there could be no valid objection. He then wished to provide that the Government should not be at liberty to make any contract involving a greater expenditure than the sum set down for the first year for the works "in the same district." He had no wish to tie up the hands of the Government unnecessarily, but he was anxious to diminish to some extent the latitude which the Government now possessed in the application of such monies. If the Secretary for War were willing to accept the spirit of his proviso, he (Sir Stafford Northcote) should be satisfied, and he was ready to leave to the right hon. Gentleman the qualification of the wording. He would, however, state frankly to the Committee the reasons why he wished them to act at all in the matter. There were two objects in view—one was to limit the expenditure to the present year, by insisting on a correct and real appropriation of the money—and secondly, to limit the power of the Government to bind the House by contract so as to put it out of the power of the House in the next year to act freely in the matter. Few hon. Members probably knew exactly how matters would stand under the Bill. The House would appear to have voted £1,200,000, and to have appropriated it according to the schedule to the Act, giving £350,000 to Portsmouth, £300,000 to Plymouth, and so on; and hon. Members probably thought that out of the whole Vote £350,000, and no more, would go to Portsmouth; £300,000, and no more, to Plymouth, and so on. Many hon. Members thought that such was the true intent and meaning of the Act. But if that were so, such was not the way in which the Government had hitherto acted. They had taken the sums which in 1860 were appropriated to each place, Portsmouth, Plymouth, and the rest; and what took place then? It appeared that some considerable excess had been appropriated to several of these places beyond the amounts in the schedule. But where did the money come from? Why £150,000 came out of the abandoned scheme of a central arsenal—other sums from the money set apart for Chatham, for the defences of the Thames, and for the defences of Cork. No less a sum than £190,000 was shown to have been spent not upon those works for which it had been voted, but upon other works, for which it had not been voted. Now, he thought that state of things highly objectionable. Many hon. Members had thought the central arsenal the most valuable part of the whole scheme. ["Mr. BERNAL OSBORNE: Hear, hear!"] If the Government had given the least intimation that it was doubtful whether the advantages of an arsenal on the banks of the river were not superior to those of an arsenal inland, and that they might spend the money which they were asking for the inland arsenal on other works, those Members who voted for the scheme for the sake of the inland arsenal would not have been satisfied. It was important to remember the mode in which the plan of 1860 was proposed. The Government said they were prompted to it by independent Members, and that they concurred with those Members in thinking the expenditure of small sums year after year on different places not so economical or efficient as a well-considered system of defence undertaken and carried through at once. They appointed a Commission; and after carefully considering the Report of that Commission, and striking out some proposals deemed not to be so urgent, they asked Parliament to provide the means for carrying out the residuum of the plan by the unusual and generally objectionable mode of a loan. But now, two years afterwards, they found the Government hesitating about one part of this comprehensive and well-considered plan, withdrawing another, and postponing a third, without any assurance that their minds were made up on the subject. All the reasons which prevailed on the House in 1860, not only to sanction a considerable expenditure, but to sanction the objectionable practice of meeting that expenditure by borrowing money, were now crumbling to dust. His main object in his proviso was this—to recover the control with which the House of Commons ought never to have parted. He had been told by the noble Lord (Lord Palmerston) that he had no right to use that argument, because he did not use it in 1860. The fact was, that the question was submitted to the House late in the Session of 1860; and feeling unable, from the defective information within his reach, to form a decisive opinion of his own on a scheme of so vast and technical a nature, he was compelled to rest his support of the introduction of the scheme upon the authority of the Government, trusting to their knowledge of the public necessities. Since that time, however, he had conscientiously devoted a great deal of his time to the consideration of the question; he had examined a great many books and pamphlets, and had listened to a great many debates on the subject; and he must say that he was led to doubt whether the scheme was, upon the whole worth the expense that was proposed to be incurred upon it. He felt this so strongly that on some occasions he had separated from friends with whom he generally agreed, and he voted for the Motion to reduce the expenditure for this year which was proposed by the hon. and gallant Gentleman opposite. But this was not the point to which he now wished to direct the attention of the House. Whatever were the merits of fortifications in themselves, whatever might be said about fixed forts and floating batteries, or about men in the field and behind stone walls, it came with irresistible force to his mind that they were shrinking from their duty, and that they were evading a responsibility which they had no right to throw off, if they allowed control in the matter to pass out of the hands of the House of Commons. When he asked for a detailed schedule instead of the unsatisfactory schedule annexed to the Bill, he was told that he was going to limit the power of transfers more than if the money were voted by way of Estimate. He admitted, that if the expenditure were proposed under the usual fortification Vote in the Army Estimates, the whole might be spent upon any portion of the scheme; but that argument proved too much, for it might equally be spent upon objects wholly unconnected with fortifications—upon the pay of the men, or upon provisions and stores; and no doubt the appropriation which he advocated was a great deal stricter than the appropriation of Votes in the Army Estimates. But he was not satisfied with the power of transfer in the Army Estimates; he wished to see it restricted; and even if such a liberty could be allowed in those Estimates, he contended that that there was no reason why the same latitude should be permitted in the expenditure of money which was to be easily raised by way of loan. Expenditure in this case was made easy to the House in every way. They were told, in the first place, that they could not form their own judgment upon a matter of such importance, that they must leave the responsibility to Government; and, in the next place, that they need not trouble themselves about providing payment out of the taxes, as they might throw the cost in a convenient form on coming generations. He asserted that they were not doing their duty to their constituents by adopting such a course. If the Government had asked them to raise the money by additions to taxation, he was perfectly sure such reductions would have been made in other portions of the expenditure as would have provided what was necessary without fresh burdens. There was another point to which he must call attention. As the first part of the proviso limited the expenditure of the money in the hands of the Government to particular purposes, so the second part had reference to the power of making contracts. Many hon. Members were induced to support the scheme upon the ground that contracts had been made, and it would be bad economy to lose the money which had already been spent, besides making compensation to the contractors. If not absolutely conclusive, that argument had great weight in it. He wished, therefore, that when they came to consider the matter in the next year, they should be free from such an argument as that. If the Government thought they wanted more money, let them take it; but do not let them come again and say, "We want another million, and you have no great choice, because we have made the contracts." He wished to limit the power of making contracts, so that at the end of a year the House might be free to act. He was anxious to warn the House against the great danger which he apprehended. He was very uneasy at the commencement of a system of borrowing money for these purposes, lest it should be drawn into a precedent. If they had had a great scheme laid before them in 1860, and the money had been voted at once, it would not have been so objectionable, because they might then have held the Government to their bargain. But they were asked for money by driblets, and no man in his senses could foresee what the end of this expenditure would be. Already they were told that an estimate of £5,000,000 or £6,000,000 was inaccurate by about £1,000,000, and the larger additions to Estimates were always found out as the works had for a long time proceeded. The improvements of science would furnish the argument that to make past expenditure useful it must be added to here and there, and they would thus get into the way of making grants for fortifications annually, not out of the annual taxes, but by annuities which were to be thrown on posterity. The Government made a great boast about cutting down expenditure. The Government compared the expenditure of this year with that of 1859; but in 1859 and the previous year large Votes were taken for fortifications, and now small Votes were taken for them, the larger amounts for fortifications not being taken in Committee of Supply, but by the Bill under consideration. There was thus an apparent diminution of expenditure, which was wholly misleading. And yet they were only going on by driblets. They did not do as the right hon. Member for Stroud (Mr. Horsman) two or three years ago urged them to do, when he said, "Raise whatever sums you require, and let the country be safe next week." In 1859, when that advice was given, there was some probability that a few months would have seen these forts called into play, and the Government were anxious to defend the country as quickly as they could. But that did not seem to be the case, and he did not think that all the forts which were to be constructed would have been of much use if the apprehensions entertained three years ago had been realized. But they had got past that, and it was not a question of raising one great sum at once, but of going on year after year voting a million, or a million and a half, an amount in itself which it was not worth while to raise by loan, but which might very well, if really necessary, be provided out of the annual taxation. They were gliding into a habit in that respect which was really dangerous. In those very discussions it was said that fixed forts were not the right thing, and that they wanted floating defences. Hon. Members even recommended that they should take a portion of that money which was to be raised by loan to make iron-cased ships with it. [MR. BERNAL OSBORNE: A Motion to that effect was made and carried, with the consent of the Government.] Why, a loan for iron-cased vessels brought them at once to the Navy Estimates. Did the House contemplate the plan of supplementing the Navy Estimates by additions to the debt in the form of an annual Act for raising money by terminable annuities? They had got, too, into a way of reducing the taxation, or, at all events, the Government had reached that pass, that even if they did not reduce it, taxation would reduce itself, or rather its proceeds would fall off. They would not be able to impose new taxes to make up that loss, and an easy quiet way of making it up would be by putting into the Fortification Bill for the year so much for iron-cased ships, or for ordnance to equip those vessels, or some other item; for, in fact, there was no limit to such a line of proceeding when once they had fairly entered upon it. He did not say the present Government had any idea of doing anything of that sort. Perhaps they would repudiate it; but it was not to be expected that such an abuse should spring up full-grown all at once. Unless, however, they stood up against it at the outset, it might creep on insidiously until it sapped the foundation of financial morality, because there was nothing more immoral than relieving themselves of their own burdens at the expense of another generation. He did not know that his proviso would go quite the length of all that he had been saying, but he thought it would be very useful in itself, and he was especially anxious to recommend it to the Committee as an indication of the determination of the House not to sit with hands folded and allow these things to go by, but to awake to a sense of its responsibility in regard to them.

Proviso—

"(Provided always, That it shall not be lawful to apply any of such sums to any work not specifically named in the Schedule, nor to apply to any work any greater sum than that which is set down in the Schedule as the total estimated cost of the work, nor to make any contract involving the expenditure in any district of a greater sum than is set down to be expended on the works in that district within the period ending on the first day of August, one thousand eight hundred and sixty-three, unless such contract has been previously approved by a Resolution of the House of Commons in Committee of Supply.)"

—proposed to be added to the Clause.

SIR GEORGE LEWIS said, he thought that the principle of raising money for fortifications by Terminable Annuities had been determined by the House at the outset of the scheme; and the Government could only, in accordance with the principle then established, make the proposal then on the table. But it certainly had never entered the mind of the Government to make a subsidiary navy estimate part of the fortification loan. Hon. Gentlemen would remember that when that question was discussed on former occasions, he strongly objected, as far as he was concerned, to the adoption of any such principle. As to the Government having assented to a Resolution involving that principle, what they really had agreed to, for the sake of preventing further debate, was that the Resolution should pass formally, with the view of the question being raised at a subsequent time. All that the Resolution, in fact, amounted to, was that the House would on a future day resolve itself into Committee to discuss the subject. That order had since been postponed, and was, he believed, finally abandoned. Certainly, the Government did not understand that either they or the House agreed to any principle in allowing that Resolution to pass without a division. As to the more material parts of the question raised by the hon. Baronet, he would state at the outset that the Government had no wish whatever to escape from the control of the House in respect to the administration of the loan. They had, in point of fact, laid on the table very ample materials for a judgment on the subject, and had given precisely the same information as was usually afforded in regard to the Votes taken in Committee of Supply. But the present question related to appropriation. He wished, in the first instance, to come to a clear understanding with the hon. Baronet on a matter of fact, because, according to a calculation which the hon. Baronet had made, it appeared that the

Government had exceeded the authority conferred upon them by the schedule of the former Act. He was unable to verify the hon. Baronet's calculation, and did not know upon what he had founded his statement. He had before him a statement of the payments for each district up to the 30th of June, 1862, and he found, that with the single exception of Dover, they were considerably less than the authority given by the schedule. But then there was for works in progress and already sanctioned by Parliament an additional sum of £350,000, much more than sufficient to cover the excess at Dover, which was only £30,000. For example, the expenditure up to the 30th of June at Portsmouth was £481,000, and the schedule sanctioned £580,000. Without going into the other details, he might state generally that there had been no excess in the payments, and it was not the intention of the Government there should be. With respect to the item for the central arsenal, the sum was £150,000. It was not a grant for erecting a central arsenal, but merely for purchasing the land. That purchase had not yet been effected, but the appropriation would be respected, and that money would be held over to a future year until a decision was come to. He could not, then, at all admit that there had been any irregularity in regard to the observance of the provisions of the Act of 1860. However, it was desirable that every possible security on that point should be given to the House consistently with the proper conduct of public business. He should have no objection to insert in the schedule the detailed account which had been laid on the table, and to the first two parts of the hon. Baronet's Amendment he was also ready to agree. The difficulty lay in the latter part of his proviso, which declared that it should not be lawful to make any contract involving the expenditure in any district of a greater sum than was set down to be expended on the works in that district within the period ending on the 1st of August, 1863, unless such contract had been previously approved by a Resolution of the House of Commons in Committee of Supply. It was very difficult, with regard to works of construction, to limit the contracts to the amount of the grant for the year. The usual practice was to engage with the contractor to undertake the whole work, and the contract might be made beyond the amount of the annual Vote, provided it did not exceed the total Estimate which had been laid before the House. The hon. Baronet said, that such a contract should be previously approved by Resolutions in Committee of Supply. But it would be impossible to take a Vote in Committee of Supply consistently with the procedure under the Act, because, if the Vote were taken in Committee of Supply, it must be inserted in the annual Appropriation Act, and it would not be included in the appropriation under that Act. Therefore he did not see how it would be possible to work the proviso. There were certain regulations affecting contracts for the Post Office requiring that the contracts should be laid upon the table of the House for a certain time before being carried out, and it might be possible to make some such arrangement with respect to fortification contracts. He did not, however, see how the latter part of the clause could be adopted; and although he would be ready to amend the schedule in some way to include the Returns, yet he could not give his assent to the concluding portion of the Amendment.

Mr. LAIRD said, he thought the latter portion of the proviso was the most important, as without it the Government might commit them to contracts to the extent of £2,000,000 or £3,000,000, and next Session the House would be called upon to carry them out. He thought the Amendment proposed was the best means of putting a stop to such improvident expenditure, and he hoped the hon. Baronet would persevere with it.

Sir STAFFORD NORTHCOTE explained, that he had taken the amount of expenditure from the two Returns on the table. He found that the excess of expenditure upon various works amounted to £539,000, from which he deducted £350,000 for works sanctioned by Parliament, leaving a clear excess of £189,000.

Sir GEORGE LEWIS said, he had an account of the actual money paid out of the £2,000,000 voted—£1,134,697.

Sir STAFFORD NORTHCOTE observed that at the bottom of the Return there was an attempt to account for the whole two millions.

Mr. MONSELL said, he agreed with the hon. Member for Birkenhead (Mr. Laird) that the latter part of the Amendment was the most important. There had been a great change of opinion in the public mind upon the subject since 1860, and he believed that in the next year there would be a still greater disinclination towards these fortifications. If the Government chose to make large contracts, the matter was taken out of the hands of the House. The right hon. Gentleman the Secretary for War very properly wished to place such an exceptional mode of spending public money under the control of the House; but that could only be done by adopting the latter part of the hon. Gentleman's Amendment.

SIR GEORGE BOWYER said, the resistance to the Amendment showed that there was a mistake in the public mind as to the control of the House of Commons over the public expenditure. He had been a Member of the Public Monies Committee, and he thought the Amendment proposed was in accordance with the recommendations of that Committee. Upon the general question he had abstained from taking any part in the discussion, although his early training had given him some knowledge of the subject of fortifications, because he did not think the Committee had before it the necessary means of information. They had been discussing the propriety of making fortifications at given points without having what he thought they ought to have—ground plans of the works proposed to be erected.

MR. AYRTON said, he would suggest that the hon. Baronet should leave out the last words of his proviso, "in Committee of Supply," so that the House of Commons might retain the discretion as to the manner in which it would deal with any such matter. The experiment proposed by the hon. Baronet, if successful, would be a most important financial revolution, and would strike at the root of all the mischief done by the permanent departments, who made use of the Treasury Bench for the purpose of outwitting the House of Commons. The Department entered into a contract, and the House of Commons was invited to vote a small sum, without having the slightest idea as to the ultimate amount to which it was committing itself; and then, when it desired to ascertain how it stood, it came out there were contracts underlying the whole matter, which at once put an end to its discretion. If the experiment succeeded, the Treasury Bench would be compelled to submit every matter to the House to its full extent, and with all the circumstances and engagements connected with it.

THE CHANCELLOR OF THE EXCHEQUER said, that the question lay rather deeper than at first sight appeared. His right hon. Friend the Secretary of State had pointed out that from the nature of such works, it was almost essential that they should be contracted for all at once, or at least a very large portion of them at once, and that the contract should not be limited to the sum to be expended during the year. The question, therefore, was, how to reconcile the public interest with the control of the House of Commons. He concurred entirely with the hon. Baronet opposite, in whose speech there was much of sound doctrine, that in the expenditure of money raised like that, on terminable annuities, special consideration was necessary to maintain the control of Parliament; but how was that to be obtained? In the first part of the hon. Baronet's Motion the Secretary of State had at once readily concurred. The only part, therefore, which remained to be discussed was the latter part, that no greater sum should be contracted for than had been previously approved by a Resolution of the House of Commons in Committee of Supply. The hon. Member for the Tower Hamlets (Mr. Ayrton) had put his finger on an obvious flaw in the last words of the Resolution; for it was clear that these contracts could not be voted in Committee of Supply without great inconvenience. They would, of course, be brought under all the rules of Supply, and would be included in the Appropriation Act, and great confusion would be introduced into the accounts which Parliament had intended should remain separate. He would assume, therefore, that those words would be left out, and the proposition would then narrow itself to this, that no greater sum should be expended unless the contract had been previously approved by Parliament. His right hon. Friend the Secretary of State for War was quite as much disposed as the hon. Baronet to admit the principle of the control of the House of Commons, but he wished to do it in a different way. His proposal was that the contract should be laid on the table, and that the House of Commons should have the power of objecting if it thought fit. That mode, he believed, was more in accordance with precedent, with convenience, and constitutional usage, than the proposal of the hon. Baronet. In an analagous case—that of the packet service—that was the course adopted. The contracts were laid on the table of the House, and remained there a certain time before they received validity. The Government did not ask for a Resolution approving them, but they gave the House an opportunity of objecting to them if it were thought fit. In practical convenience, and as a matter of constitutional usage, the proposition of his right hon. Friend was also superior. The practical wisdom and the good or bad economy of such contracts, was a matter on which the House of Commons, as a deliberative assembly, had not the opportunity of forming an opinion in the same way as the executive Government, and it was not according to usage that the Government should be able to relieve itself of its special responsibility with regard to these contracts by a Resolution of the House of Commons. The responsibility of the Government would be better preserved by giving the House of Commons the power of interfering with these contracts before they became valid, than by asking the House of Commons to approve each of them by a Resolution. He hoped, therefore, that the mode of securing the control of the House of Commons proposed by his right hon. Friend would be that which the Committee would adopt.

Mr. HENLEY said, he thought that the importance of the proposal made by the hon. Baronet below could hardly be exceeded. To carry on works of the kind with borrowed money almost always led to extravagance, and they were therefore doubly bound to secure the control of the House of Commons over expenditure of it. Two years ago a scheme was proposed for fortifications; the House agreed to it, and money was raised by annuities. The hon. Baronet said they ought not to take the money by driblets; it ought to be taken at once. But by what sort of harlequin's wand were these great schemes to be carried out in one year? In case of any such attempt the work would certainly have been badly done, and at a great expense. As far as he could gather, the Government were now legitimately going on with a part of the scheme which was sanctioned in 1860. But the proposal of the hon. Baronet seemed to be supported by some hon. Members with a view to get rid of the scheme altogether. Now, would it be just to the next generation, having borrowed a couple of millions, which they were to help to pay, to leave them nothing in return but a mass of unfinished works? With regard to these contracts, if the Government could not be trusted to carry out the scheme sanctioned by the House, he doubted whether it would not be better to have no Government at all. He was certain, that if that House undertook to give out the contracts and supervise the alterations which were necessary, the work would prove much more costly, and he had observed that the fuller the details placed before the House the more money seemed to be spent. Government could always beat private Members upon questions of detail. They had more information at their command, and as they could not get any considerable number of Members to agree upon details, the Government rolled them over like so many loose stones. For example, since the House had had placed before them so many pages of Estimates, he had noticed that they could do nothing, for directly one hon. Member proposed a reduction another opposed him. They now spent £70,000,000 instead of £50,000,000, and a good deal of that increase had crept up through the desire of the House to have masses of details before them. Now, his view was, that when the House had agreed that a work should be done, more money would be spent if they did not leave the Government to carry out the work, instead of pretending to be an executive body themselves. The less, however, that they borrowed money the better, as it only led to extravagance.

Mr. DISRAELI said, he thought that the principle laid down in the proposal of his hon. Friend was one of the greatest value, and one which the Committee ought not to pass over lightly. There also seemed to be very little difference between his hon. Friend and the Government on the subject, and he thought they might come to an agreement. Upon the phrase "in Committee of Supply" his hon. Friend would not insist; and, no doubt, there was a good deal which was perfectly substantial in what was urged by the right hon. Gentleman the Chancellor of the Exchequer respecting contracts. He did not wish to divest the Government of the responsibility which the Executive should possess on the point, nor was that the intention of his hon. Friend. All his hon. Friend wanted was to obtain for the House a due control over the expenditure of public money; and he collected from the Government that there was no wish on their part to dispute the propriety of such a Motion, if it were practicable. With the omission he had suggested, substituting also the word "expenditure" for the word "contract," he thought that all the objections urged by the Chancellor of the Exchequer would be met, and the salutary principle of a due control by the House over the expenditure of public money would be asserted.

SIR MORTON PETO said, that he thought the Committee were much indebted to the hon. Baronet for proposing the proviso. What they wanted was a clear statement each Session of the expenditure to be incurred during the year, so that there should be no outlay except upon works which had the distinct approval of the House, and that contracts should not be vitiated by alterations which had not also the assent of the House. Great inconvenience had arisen from non-adherence to that rule, and from small beginnings public works had swollen into large dimensions, which at their origin no one would have dreamt of or sanctioned. The right hon. Gentleman (Mr. Henley) seemed to think that it would be impolitic to suspend these fortifications; but surely, if he were building a house and discovered that the foundations were insecure, he would not hesitate to suspend his operations and consider whether he should go on with them or not. If contracts were made on the basis of a schedule of prices, there would be no difficulty in doing what was required by the hon. Baronet; and they might be so framed as to give the House complete control over the expenditure.

SIR GEORGE LEWIS said, he was quite ready to agree to any restriction which would carry into effect the wishes of the Committee, but which, nevertheless, would enable the Government to work the contracts in the ordinary manner. He feared that the proviso of the hon. Baronet, even as proposed to be amended, would be found impracticable; and he should propose to follow the precedent of a Resolution adopted by the House with respect to packets and telegraphic contracts, by which it was resolved that in all contracts extending over a period of years, and creating a public charge, actual or prospective, entered into by the Government for the conveyance of mails by sea, or for the purpose of telegraphic communication beyond the sea, there should be inserted a condition that the contract should not be binding until it had been laid for one month before the House.

SIR STAFFORD NORTHCOTE said, his object was to secure a real control on the part of the House over the expenditure, and not to make the House in any manner responsible for the terms of the contract. If, however, the contract was laid upon the table, and no disapproval was expressed within the stipulated month, the House might make itself responsible for the engineering details and other features of the contract. Suppose that the Government, within the year, expected to spend £10,000 on certain works, and obtained authority from the House to expend that sum. Circumstances might occur before the close of the year which might make it desirable or convenient to spend more than £10,000. If the Government could save anything out of a Vote for works in the same district, they might do so; if not, they ought to come to the House of Commons and demand authority to spend £20,000 instead of £10,000. He did not want to see the contract, but he wished the House to have a voice in the expenditure of that larger sum. The suggestion of his right hon. Friend (Mr. Disraeli) to substitute the word "expenditure" for "contract" would, he thought, meet the difficulty, and he was ready to adopt it. The plan proposed by the right hon. Gentleman (Sir George Lewis), to accept the principle adopted in cases of mail-packet contracts was that which first occurred to himself. The cases, however, were not analagous, as the House liked to look into packet contracts, and to see that the right parties were contracted with, the terms, &c. He must apologize for using the words "Committee of Supply," that being an inadvertence; and if the Committee would allow him to strike them out, he would substitute the word "expenditure" for "contract." If his proposal should cause some slight inconvenience to the Government, that ought not to weigh against the great inconvenience to which the House was exposed when it found itself committed to an expenditure which it had not sanctioned. His right hon. Friend (Mr. Henley) had misunderstood him in supposing he had said that the money should have been voted at once. There were certain advantages, no doubt, in voting an amount in one lump sum, and other advantages in voting money by driblets, but the present practice combined the disadvantages of both. In 1860 the House granted to the Government for these very works as much money as it was thought would be enough for one year. The Government made the money last until the second year, and then, at the end of the second year, they made contracts for spending a further sum, which the House was told it must vote. If his proposal had then been in force, the Government would have been obliged to come to the House in the last year a second time, and before the further contracts were made. The House ought to keep such matters in its own hands, and to give the Government what it thought the interests of the public service required.

SIR GEORGE LEWIS said, that if the contracts were to be laid on the table [SIR STAFFORD NORTHCOTE: I do not want the contracts]—there would be something that the House could approve of, or otherwise. He did not understand how the House could approve, by Resolution, of expenditure which had not been incurred, and which, therefore, was not a liquidated sum. Suppose, for example, the contract was founded upon a schedule of prices. The contract would be not for a specific sum, but it was to make certain payments which would be determined as the contract proceeded. He did not see how it could be possible for the House, by a Resolution, to establish the control desired by the hon. Gentleman. The practice would, at all events, be new, and he doubted whether it would be carried into effect.

MR. AYRTON said, that the very merit of the proposal was that it introduced a new practice and a better system. What difficulty would there be in the Government coming to the House and asking it to agree to a Resolution, declaring it to be expedient for the Government to enter into a contract to the extent of a certain sum?

SIR MORTON PETO said, he could assure the Committee that the Resolution of the hon. Baronet, as amended, could be carried out without the slightest difficulty. He did not want the contract laid on the table, but that the Government should state what was wanted for a particular work, and take a vote for it; and if more money was wanted, to come again to the House.

THE CHANCELLOR OF THE EXCHEQUER said, it was agreed by the hon. Baronet that the House ought not to give its approval to the contracts, but that the House ought to approve the expenditure as distinguished from the contracts. He was not frightened by the word novelty in such a matter, but the Committee ought to consider how the proposal before it was to square with its rules and proceedings. What was the meaning of an approval of expenditure by the House of Commons? There was only one way in which that approval could be signified, and that was by granting the public money. That House was not a *dilettante* assembly, which met to express abstract Resolutions, but a practical and deliberative assembly, whose duty was to vote the public money when it saw cause for so doing, and to withhold it when no case was made out. Was his right hon. Friend the Secretary for War to come down for a Vote on every occasion when he might find it necessary to go into a contract beyond the point which had already been sanctioned? The first anomaly he saw in such a course—and it was a very serious anomaly — was that his right hon. Friend would come down for a Vote which he did not want within the year. The rule was that the House of Commons voted for the financial year the sums required for that period; but, if the plan now proposed was acted on, the doleful speech of his hon. and learned Friend the Member for Dundalk would become of a still darker character. Was there to be an Act for each particular case? Was there to be a statute? Was there to be a Bill passed through each stage if his right hon. Friend found that by brick and mortar contingencies he was obliged to go into a new contract? If so, the statute book would soon be loaded, and there would be abundant work for future abbreviators, commentators, and Commissions. There was no such thing as a final authority for public expenditure in that House. That House passed Resolutions for the expenditure of public money, but it did so subject to those Resolutions being taken into the provisions of the Appropriation Bill. He submitted to his hon. Friend (Sir S. Northcote) that he should follow the system adopted in respect of the Post Office contracts. The proposition put forward by his hon. Friend would involve them in great confusion, and introduce principles that were entirely novel, and the scope of which it would be difficult to measure.

MR. BLACKBURN said, he thought that the question was a simple one. It was this—whether the Government should enter into contracts with the consent of Parliament or without it. As he understood the Amendment of his hon. Friend, it laid down that before the Government incurred expenditure they should ask the consent of that House. For his part, he thought the sanction should precede the contract.

MR. MONSELL suggested that perhaps the difficulty might be met by substituting in the Amendment the words "such greater sum" for the word "expenditure."

SIR GEORGE LEWIS said, he must repeat the objection of his right hon. Friend. There was no precedent for that House of itself giving authority for prospective expenditure. If the House in Committee voted Supply, the Resolution was afterwards embodied in the Appropriation Bill and became law.

SIR STAFFORD NORTHCOTE said, that, as he understood him, the Chancellor of the Exchequer said it would be quite unprecedented to give any final authority for the expenditure of money by Resolution of that House.

THE CHANCELLOR OF THE EXCHEQUER: By any Resolution not subject to be taken up in the Appropriation Act.

SIR STAFFORD NORTHCOTE said, he had so understood his right hon. Friend; but he did not propose that the House should do that which his right hon. Friend said was unprecedented. By the Bill before the Committee Parliament was going to give its sanction to the expenditure of £2,000,000. The final authority for that expenditure was a Bill which was to pass through both Houses. All he sought to do was to limit the power of the Government in respect to the appropriation of any portion of that sum, and he thought the adoption of his Amendment would be of great advantage to the Government; for, when contracts were made with the consent of Parliament, better terms would be made with contractors than if the contracts were liable to be overhauled in that House.

Amendments made,

By leaving out the word "contract," in line 7, and inserting the word "expenditure," and by leaving out at the end of the Proviso the words "in Committee of Supply,"

Question put, "That the Proviso, as amended, be added to the Clause."

The Committee *divided*:—Ayes 106; Noes 111: Majority 5.

SIR STAFFORD NORTHCOTE said, he wished to ask the Secretary for War whether he would have any objection, after the division which had taken place, to the insertion of the words he had previously suggested?

SIR GEORGE LEWIS said, he had no objection to take the words of the first part of the hon. Baronet's proviso, and to alter the remainder so that the contract should not be binding unless it had been previously laid upon the table of the House for the period of a month.

Words *inserted.*

Clause, as amended, *agreed to.*

Clauses 3 to 20 were likewise *agreed to.*

Clause 21 (Persons counterfeiting Receipts for Contributions, &c., guilty of Felony).

MR. HENNESSY said, that a slight verbal alteration was required in the clause, because it provided that a person might be imprisoned for three years with or without "hard harbour," meaning "hard labour," he supposed.

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

Schedule.

SIR JOHN HAY, in the absence of his hon. Friend (Mr. Bentinck), said, that he rose to propose an Amendment, the object of which was, the suspension of the works at the fort at Plymouth Sound until a decision should be come to by the Government as to the forts at Spithead. It appeared that only one witness was recently examined before the Commission with respect to the fort at Plymouth Sound; and when asked whether the erection of a fort upon that site would be of considerable importance in time of war, he replied that with wooden ships he thought the fort would be of the greatest importance, but in the case of iron ships it would depend on the force of the shot, and the distance at which it would penetrate them. In reply to another question, the witness stated that it would be of advantage to use the fort as a coal depôt. Now, iron-clad ships might be about 200 yards off without fearing the shot from that fortified coal depôt; and even the 600-pounder about to be made would not, according to the most sanguine calculation, penetrate the sides of a ship like the *Warrior* at the distance of 800 yards. Yet it was now gravely proposed to build a fort or fortified coal depôt to repel attacks from ships, which needed not to approach within 2,000 yards of the fort in order to do all the mischief they intended. Since the construction of the forts at Spithead was suspended, he could not understand on what principle this fort at Plymouth, which was identical in its object, and was equally useless, should be proceeded with. As the noble Lord had desired every hon. Member to stick to his *crepidam*, he should not talk of the land forts, but would express an opinion only with respect to the sea defences; and it appeared to him the height of folly to place forts on sandbanks, where they must be motionless, and could not close with the enemy. He believed that the most desirable mode of spending the nation's money would be to clothe a certain portion of the existing wooden line-of-battle ships with iron, gradually replacing them by ships of a more improved construction. If they availed themselves of the thirty ships which the Comptroller of the Navy said were fit to be used in that way, and which could be altered at an expense of £50,000 each, they might have for £1,500,000 an efficient navy. To effect his object, he would move that the word "Plymouth" be omitted from the schedule.

Amendment proposed, to leave out the word "Plymouth."

Mr. AUGUSTUS SMITH said, he wished to draw attention to the large expenditure proposed for breakwater forts; a large portion of which, he contended, it was probable would be useless. There was high authority—that of Sir William Snow Harris, for instance—against the construction of that particular fort at Plymouth.

Sir GEORGE LEWIS said, that the difference between the fort at Plymouth and those at Spithead was, that while the forts at Spithead would not impede the entrance to that anchorage unless the range of artillery was greatly increased, in the former case the range of the guns would extend to vessels lying outside for the purpose of bombarding the dockyard, and would effectually obstruct the passage of vessels at either end of the breakwater. The main objection of the hon. Member for Norfolk was, that the erection of the fort would interfere with the anchorage within the breakwater, but the evidence of the harbour-master, the only witness examined upon the point, was that there would be no such interference. Under these circumstances, the Commissioners arrived at the conclusion that the work was necessary for the defence of the Sound, and that the site chosen was the best that could be selected. The Government thought it their duty to act upon that opinion, and he hoped that they would be supported by the Committee. He would annex another schedule to the Bill, as it had been rendered necessary by the Amendment which had been carried.

Mr. MONSELL said, that so far as he understood it, the Report of the Commissioners in favour of the fort was based upon the hypothesis that guns could be constructed which would pierce iron-plated vessels at distances of 1,000 or 2,000 yards, a result which none of the ablest men in this country believed could ever be attained. Even if the fort was constructed, vessels could lie outside and bombard the dockyard from a distance of 5,500 yards. The Commissioners themselves said that dockyards might be destroyed by rifled ordnance from a distance of 8,000 yards; and therefore the erection of these forts would be of no use for the defence of such places. On the other hand, the suggestion of the hon. and gallant Gentleman opposite (Sir John Hay), to construct floating defences out of the large wooden line-of-battle ships would, if adopted, not only save a considerable sum of money, but effect the object in view. He therefore hoped the Motion would be adopted.

Sir JAMES FERGUSSON observed that the ports at Plymouth seemed to be looked upon by some hon. Members as a salient point which might yet be successfully assailed, although in the main the propositions of the Government had met with the approbation of the House. The cases of Plymouth and Spithead were very different, and it did not at all follow, that because works were suspended at one place, they ought to be also suspended at the other. A fort at Plymouth would be a most valuable defence to the anchorage. Such a work was much required, and he hoped it would be sanctioned by the House. He regretted that the construction of the forts at Spithead had been postponed, because, after the strong declaration of the noble Lord at the head of the Government as to the value which he attached to that species of defence, he was confident, that if he had persevered with his plan, it would have received the support of the House. He differed so entirely from the hon. Member for Rochdale, that he believed that nothing had procured the noble Lord so much popularity and confidence as the feeling of the country that he was resolved, at any expense, to place England in a safe position. The fort at Plymouth had the great advantage over those at Spithead, that while they would only command the passage to the anchorage, its guns could be brought to bear upon vessels even after they had got within the breakwater. It had not yet been proved that these forts would not prevent the passage of iron-cased vessels, and he was assured by naval men and officers conversant with the use of artillery, that no ship could pass behind Plymouth breakwater in such a sea as often prevailed there without exposing her screw or some vulnerable point of her hull to the guns of the fort. But even if a vessel could pass the fort, any sailor, however bold, would hesitate to engage himself in the tortuous channels of the anchorage while exposed to the fire of its guns. The hon. and gallant Member for Wakefield (Sir John Hay), who was naturally partial to the service in which he had earned so high a reputation, had elaborated a very ingenious plan for the defence of Spithead by means of floating batteries; but even if such a system was adopted at Plymouth, the fort would afford shelter and most valuable assistance to an inferior force of iron-plated vessels against a superior one.

MR. GREGORY said, it was foolish to build forts to do execution upon ships at a range of 1,500 yards, when it was notorious that they had not a gun which would produce any effect upon an iron-cased vessel at a greater distance than 200 yards. It was better to have ships which would go out and meet the enemy, muzzle to muzzle, and wait to see whether modern science could construct guns which, within such forts as these, would be of some use.

SIR LAWRENCE PALK said, he wished to ask, whether it would be necessary to add a large artificial fountain to the sunken rock upon which the fort at Plymouth was to be built? It was said that an iron-cased vessel was the proper defence for Plymouth harbour, because it would be sheltered by the breakwater, while the elevation of the guns would make it a most formidable opponent.

SIR GEORGE LEWIS said, a passage in the Report of the Commission stated that the rock was comparatively level and covered with a thin deposit of fine silt; that it had been carefully examined by the diving-bell and found in every respect suitable for the foundation of the fort. There would, therefore, be no difficulty in erecting a fort upon it.

SIR MICHAEL SEYMOUR said, that considering the limited area of the entrance to the Port of Plymouth, he thought a fort inside the breakwater of far greater importance than the forts at Spithead, because, to approach the harbour, vessels would have to pass within a very close range, and vessels attacking the forts with shells would be exposed to the land batteries on either side. He was rather incredulous as to monster guns. They were usually short-lived, and frequently led to accidents. Until more satisfactory *data* were laid before the House, he though they ought not to alter the course they had already taken.

CAPTAIN TALBOT said, that vessels lying considerably outside the range of the fort and batteries could shell Plymouth harbour without being touched. Ships entering Plymouth Sound would pass at 800 yards' distance from the fort, and they had no artillery which would produce any effect on a vessel like the *Warrior* at more than 200 yards. As to ships in a heavy sea exposing vulnerable parts, it was not easy to hit them when going at ordinary speed. It was better to spend the money on floating defences than on forts, which could be only useful to the extent of the area of their guns. Whether these forts and land defences were right or wrong, the navy, the first line of defence, should be maintained in that state of efficiency and preparation which would preserve the supremacy of the seas and the inviolability of the shores of England.

MR. LIDDELL said, he was of opinion, as an independent Member of Parliament, that the House of Commons, in the course which the discussion had taken, had not dealt fairly with the executive Government. Two years ago they had sanctioned by a deliberate Vote a great scheme of national defence, and they were then anxious to realize the old fable of the bundle of sticks, and destroy in detail a scheme which they could not defeat as a whole. He had felt it his duty to support the Government throughout the discussion, because he thought they had not been fairly dealt by, especially as, in that matter, contracts had been entered into for a large portion of the proposed works.

LORD ADOLPHUS VANE TEMPEST said, he thought that those who opposed the measure did not deserve the lecture which his hon. Friend had given them. There never was a question which had been more made one of confidence in the noble Lord, or less one of discussion. So far, however, from thinking that the country would object to the Motion of the hon. Member for Liskeard, he thought they would highly approve of it. It was said that these forts would prevent invasion—the question might be whether they would not rather invite attack. According to the evidence of professional men examined before the Committee, it was held that these forts would prove inefficacious. He hoped the navy would be properly kept up, and he was satisfied the nation would not grudge whatever was really necessary for the defence of the country.

VISCOUNT PALMERSTON said, the case of the fort at Plymouth was entirely different from the two at Spithead. The former fort would prevent any ship from entering and shelling the dockyard, and command the Sound itself. Hon. Gentlemen appeared to run away with the notion that the Government were proposing forts alone. The whole foundation of the recommendation of the Commissioners, and the principle of the plan proposed to Parliament, was a combination of ships and forts. After the valuable testimony of the gallant Admiral who spoke below the gangway, he hoped the Committee would negative the proposal.

Question put, "That the word 'Plymouth' stand part of the Schedule."

The Committee *divided* :—Ayes 149; Noes 89: Majority 60.

House *resumed*.

Committee report Progress; to sit again *To-morrow*.

THAMES EMBANKMENT BILL.

[BILL NO. 162.] CONSIDERATION.

Order for Consideration read.

MR. ROEBUCK said, he had to move the following clause :—

> "It shall not be lawful for any person to use a locomotive engine propelled by steam along the streets or roadways constructed under the provisions of this Act."

He regretted the First Commissioner of Works allowed that clause to be struck out of the Bill. It was in contravention to the arrangement between the Benchers and the First Commissioner of Works, that no locomotives propelled by steam should be allowed to pass between the river and their gardens.

Clause (Prohibition against Use of Locomotives along the Streets) *brought up*, and read 1°.

MR. COWPER said, that the Benchers seemed to be under great apprehension that locomotives would be passing along the embankment in front of their gardens. He had told them that he did not think a special clause was necessary, as there would be in the Bill a general prohibition of locomotives in the roads of the embankment. However, he had no objection to restore the clause, as it certainly formed part of the arrangement.

SIR WILLIAM JOLLIFFE said, that the locomotives were most useful, and their construction was being daily improved upon. They were at present under the strict supervision of the Home Office as far as respected the rest of the metropolis, and he did not see why the same rule should not apply to their use in the proposed new streets. He regarded the clause as a piece of mischievous and retrograde legislation; and it would be most incongruous that there should be one law in regard to these engines applicable to one part of London, and a different law applicable to the rest. What the Benchers had asked for was to be relieved from railways between the river and their own property, and it was now proposed to give them a different thing, for which they had not asked.

Motion made, and Question put, "That the said Clause be now read a second time."

The House *divided* :—Ayes 110; Noes 100: Majority 10.

Clause read 2°, and *added*.

Clause 8 (Works authorized).

MR. AUGUSTUS SMITH said, he wished to propose an Amendment which would increase the width of roadway from 100 feet to 130 feet, as he thought the public should have a larger share of the land taken from the river, which was a public highway.

Amendment proposed, in page 7, line 35, after the words "one hundred," to insert the words "and thirty."

MR. COWPER said, he must object to the Amendment, as 100 feet of width would be sufficient for the traffic, and the addition of thirty feet would increase the expense of maintaining the roadway, and would unsettle the arrangements already made.

Question, "That those words be there inserted," put and *negatived*.

Clause 14 (Power to enclose and fill up Bed and Shore of River).

MR. ALCOCK said, he wished to add a proviso giving power to the Metropolitan Board of Works to raise (excepting only at Whitehall and Temple Gardens) the height of the roadway on the embankment to a uniform level of fifteen feet above Trinity high-water mark.

Amendment proposed,

At the end of Clause 14, to add the words "Provided, That nothing herein contained shall prevent the Metropolitan Board of Works from raising (excepting only at Whitehall and Temple Gardens) the height of the roadway on the Embankment to a uniform level of fifteen feet above Trinity high-water mark, should they consider it necessary, for the effectual development of the Metropolitan thoroughfares to give facilities for increased communication by additional bridges, from the North Embankment to any future one on the South Side."

MR. COWPER said, that if the level were raised in the manner suggested, it would be impossible for persons passing along the embankment to pass either under or over Waterloo Bridge.

Question, "That those words be there added," put, and *negatived.*

Clause 27 (Power to appropriate Land or Easements in respect of River Frontage).

MR. DILLWYN said, he wished to move an Amendment to give protection to the owners of land on the line of the embankment who were willing to sell that portion of their property not required for the purposes of the Act.

Amendment proposed,

At the end of Clause 25, to add the words "Provided always, That where the owner of any wharf or premises on the line of the Embankment, which shall be injuriously affected by this Act, shall be inclined to sell or part with his interest in the whole of such wharf or premises, the jury or arbitrator shall assess the value of, and the Board shall be bound to take and pay for the whole interest of such owner in such wharf or premises, although it may not be found necessary to take the whole for the purposes of this Act."

MR. COWPER said, he thought the proviso unnecessary, as the case would come under the Lands Clauses Consolidation Act.

Question, "That those words be there added," put, and *negatived.*

Clause 34 (Chief Commissioner of Works to approve designs).

MR. DOULTON said, he wished to move the omission of the 34th clause, which empowers the Chief Commissioner of Works to place a veto upon the designs for erecting buildings on the reclaimed land on the line of embankment.

Amendment proposed to leave out Clause 34.

MR. COLLINS said, he hoped the House would consent to omit the clause from the Bill.

MR. COWPER said, he thought the clause ought to be maintained.

MR. TITE said, he could not see why the Chief Commissioner was so anxious to assume this responsibility.

SIR JOHN SHELLEY said, the clause was only carried in the Committee by a majority of one; and had it not been for the belief that the Metropolitan Board of Works did not object to it, it would not have been carried at all.

Question put, "That Clause 34 stand part of the Bill."

The House *divided* :—Ayes 96; Noes 90: Majority 6.

Other Amendments made.

Bill to be read 3° *To-morrow.*

House adjourned at half after two o'Clock.

HOUSE OF LORDS,

Friday, July 11, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Inclosure (No. 2); Indemnity; Merchandise Marks.
2ª Harbours Transfer; Pier and Harbour Orders Confirmation; Coal Mines.
3ª Lunacy (Scotland); Naval and Victualling Stores; Highways.

DEPARTMENT OF JUSTICE.

OBSERVATIONS.

LORD BROUGHAM, referring to what he had stated yesterday, said, he had done injustice to his noble and learned Friend (Lord Langdale) in not citing his authority for a Department of Justice. He had strongly recommended it more than once, and the last time he spoke in that House, a short time before his lamented decease, was to urge the adoption of this measure, which he pressed as the more requisite since the establishment of county courts. He (Lord Brougham) wished to move for a Return, placing side by side the Resolution and Address of the Commons of the 12th February, 1857, and the Answer of

Her Majesty to that Address, promising to give directions that the desire of the Commons should be taken into immediate consideration as its importance demanded. Formerly the mode of obtaining knowledge of what passed in the Commons was by the cumbrous process of a Committee to search the Commons' Journals. But of late the courtesy of that House had placed the Minutes of their Proceedings on our table; so that his Motion for the paper would at once be effectual, and it would appear how long there had been an entire neglect of this subject, whose importance the Royal Answer fully admitted.

Earl GRANVILLE said, that as some doubt existed how far the leave of the Commons extended to any matter beyond their own proceedings, such as the Royal Answer to the Address, his noble and learned Friend would, perhaps, leave the Motion in his hands, as he was about to leave town, and he (Earl Granville) would take care, that the necessary forms being complied with, the object of the Motion should be obtained.

Lord BROUGHAM expressed his entire concurrence in this course, which ensured the production of the paper.

CONSTABULARY (IRELAND).

MOTION FOR PAPERS.

The Marquess of CLANRICARDE rose, according to notice, to move an Address for—

> "Copy of a Representation of the Inefficiency of the Irish Constables to prevent or detect Crime, in consequence of the Military System by which they are organized and governed, made to the Irish Government by the Grand Jury of the County of Tipperary assembled at the Assizes lately held in Clonmel:
>
> "And to ask whether Constables are required to communicate with their superior Officers in Dublin, or elsewhere, before executing a Warrant signed by a Justice or Justices of the Peace in Irish Counties?"

The noble Marquess said that his contention was that the Irish constabulary were, in consequence of their military organization, however suitable it might render them for the defence of the country from a foreign foe or an insurrection, materially detriorated in their efficiency for the prevention and detection of crime, and in that opinion he was supported, not only by the opinions of the Judges, but by those of every one who was connected with Irish affairs, except the Lord Lieutenant, the Chief Secretary, the Under Secretary, and the Chief of the Constabulary. No men could be better conducted or more meritorious than the members of the force, but the faults of the system prevented their discharging the duties the performance of which was required of them. He did not believe that there was a general Ribbon conspiracy throughout the whole of Ireland, but cases of Ribbonism occurred here and there; yet it was very significant, that if an extensive society of that nature existed, the constabulary had not succeeded in convicting a single man of that crime of late years, and made no mention of it in their returns. It was also a very startling fact that, according to the last returns, out of 324 cases of malicious incendiarism, for which 61 persons were arrested, only 17 were convicted. It was well known that several murders of the most grievous description had lately been committed; the criminals were generally well known, and yet in many cases they escaped apprehension. It was the fault of the police system that justice was thus defeated. Twenty-three gentlemen of the grand jury of Tipperary had deliberately expressed their conviction that since a military character had been given to the constabulary their usefulness as a domestic force had been impaired. They pointed out that military arms and accoutrements deprived the police of the free use of their limbs, and rendered impossible for them to pursue delinquents over a close or hilly country. To equip the men in that way was as absurd as it would be to send a regiment of dragoons to search for a pickpocket in the alleys of St. Giles's. He had to complain also of the manner in which warrants were executed. It was absurd to require warrants to be sent to Dublin to be backed before being executed in an adjoining county, although the magistrate who had signed them held the commission of the peace for that as well as his own county; and he knew an instance in which the two days' delay thus caused had enabled a malefactor to escape. The motive for maintaining the present kind of force was to have a second army in Ireland; but that was not the original object of Parliament, and if they wanted a body as part of the fighting power of the country, they ought to put it under military law. He wanted to see a constabulary in Ireland which would detect crime, and prevent such a disgraceful scene as was asserted to have recently occurred, where a bonfire was lit upon the very spot on which M. Thiebault was murdered, in order to celebrate the acquittal of Halloran. It was due to the peoble of Ireland to say that but for their good conduct there would be ten times as much crime in the country as there was, and that in criminal statistics they would bear comparison with any other population. The Irish constabulary were a fine body of men, but they had been spoilt as constables, and hence the evils of which he complained. He trusted the Government would pay some attention to the complaints of the magistracy of Ireland in this matter.

EARL **GRANVILLE** suggested two or three trifling alterations in the wording of the Motion, and said that if these were assented to, the Government would not object to the Returns asked for. With regard to the charges which had been previously made against the constabulary, information which he had received went to show that they were unfounded; and the opinion of the Crown lawyers was in favour of the efficiency of the constabulary as police. As to the question raised by the noble Marquess whether it was requisite that the constabulary should communicate with their superior in Dublin before executing in one county a warrant signed by the justices of the peace in another, he had to state that this was done not in accordance with any police regulations, but pursuant to an Act of Parliament, and he was informed that this practice effected a great saving both of time and expense.

THE EARL OF **LEITRIM** said, the whole system of government in Ireland was dangerous and unconstitutional to the last degree. The Lord Lieutenant was an autocrat, and the police, his servants, were not governed by the laws of the country, but by what is called a police code, which was a sealed book. If the orders contained in that code were to be acted upon, they ought to be published. As it was, the constabulary were now looked upon as Zouaves rather than as police; and it had been shown that they would not act against a foreign enemy, for during the Crimean war not one man of the force, when appealed to, would volunteer for the Guards. In point of fact, the police acted as spies upon the magistrates; their whole demeanour was offensive; and if some change were not made, disastrous consequences would ensue. They would report anything they were desired to report; and, for his own part, he would not attach any credit either to their statements or their figures. The whole system was a system of falsehood and lying. He begged their Lordships' pardon for the expression, but he did feel that it was a gross and abominable system of corruption—he did not wish to mince matters—and he declared, that if the system was not changed, it would not be his fault, for he would do his best to make these official crimes known, for it was a crime to charge all sorts of evil to the people of Ireland.

THE EARL OF **DONOUGHMORE** hoped the Government would consider what steps could be taken to improve the police system; but he did not concur in the sweeping condemnation to which they had just listened.

Motion, as amended, *agreed to.*

Address for—

"Copy of a Resolution agreed upon by the Grand Jury assembled at the late Special Commission held at Clonmel for the County of Tipperary, relative to the Constabulary Force in Ireland, and forwarded to the Lord Lieutenant: And also,

"Copy of Correspondence relating thereto:"

—*agreed to.*

LUNACY (SCOTLAND) BILL—[BILL No. 152.]

THIRD READING.

Order of the Day for the Third Reading read.

THE DUKE OF **ARGYLL**, in moving the third reading of this Bill, said, that a notice of Amendment given by a noble Duke opposite (the Duke of Montrose) rendered it necessary to give a description of this Bill. By the present law the Lunacy Board of Scotland, appointed five years ago, would expire in the course of a few weeks. The Board consisted of two medical paid Commissioners, two legal members (who unfortunately were not paid), and of a chairman; and considerable powers—though as he should proceed to show hardly sufficient powers—were conferred upon that Board, analogous to those conferred on the Board of Lunacy in England. At the time the Act was passed it was thought doubtful whether it would be necessary to continue the Board, and it was therefore provided that at the expiration of five years the Board should cease to exist, but the two medical gentlemen were to be continued permanently, no longer as members of the Board, but as Inspectors General of Scotland, communicating with the Home Secretary. The powers of the Board with regard to the inspection of asylums were continued to the Inspectors; but the larger powers of the Board, as to the inspection of asylums, was no longer to remain in their hands but in the hands of the Secretary of State. The House might ask, why come to Parliament at the end of five years to continue those powers which Parliament had intended should expire? Various difficulties had been found in the wording of the Act, and principally one which it was intended that this Bill should remedy. It was intended by Parliament that the Board should have very large compulsory powers with respect to the erection of asylums, and nothing could be more distinct or emphatic from the clause of the existing law, which provided for the case of counties or boroughs being recalcitrant or obstinate in providing these asylums, than that it was the intention of the Legislature that the Board should have power to enforce the erection. Parliament, however, did not provide the necessary machinery for enforcing their requisition, and this was one reason why it was thought that increased powers should be given to the Board, and that its existence should be prolonged for a short period. There was, however, one other point. It was obvious that no Lunacy Board could be established without running counter to many local interests, and hence it had called forth great opposition. It had been one duty of the Board to report as to pauper lunatics; and though he believed that the Board had fairly performed their duty upon this subject, a considerable feeling of objection had been raised against them, for it was said that the medical Commissioners acted as Inspectors, and they reported to themselves as the Board. It was further objected that in consequence of there being no payment provided for the legal members the Board substantially consisted of the two medical men, so that the Inspectors reported simply to them. It was, however, but just to the legal members to state, that when any legal point arose, those gentlemen had not shown any remissness. He might observe that this state of things also existed in England, where some of the Board were Inspectors likewise. A Bill had been brought in early this Session by the Lord Advocate; and he must say that the composition of the new Board which the learned Lord proposed was not entirely satisfactory. It had been much objected to, and the Lord Advocate had therefore announced that he would abandon his first measure, and bring in simply a continuance Bill, with the sole addition of clauses with regard to the erection of asylums. That was the state of the case at the present time; and it was not till this Bill had reached its last stage that the noble Duke opposite had proposed a clause which would sweep away the medical inspection altogether. He saw no objection to the second Amendment, which he now understood was to be proposed by the noble Duke (the Duke of Montrose) as to the continuance of the Board, though he must observe that the Amendment, if carried, would be in violation of the privileges of the House of Commons, and therefore there was no chance of it being agreed to.

THE DUKE OF MONTROSE intimated, that he should propose his original and not his second Amendment.

THE DUKE OF ARGYLL: That was to the effect that not only the Board, but the office of Inspectors General should cease at the end of two years; and in fact, that the whole system of lunacy in Scotland should at that period come to an end. He was of opinion, that if their Lordships agreed to such an Amendment, it would be injurious to the public interests, and also a breach of public faith; for one of the Inspectors General (Dr. Brown) had given up a more lucrative situation which he held at the head of one of the largest asylums in Scotland, and he had done so on the distinct understanding that his appointment should be a permanent one. If the noble Duke simply wished to have the subject brought forward again at the end of two years, his object would be secured without his Amendment being agreed to, for there was no doubt that they must before long appoint deputy inspectors.

Motion *agreed to.*

Bill read 3^a.

On the Question, That the Bill do pass,

THE DUKE OF MONTROSE said, his Amendment was in form that the 22nd and 23rd clauses of the first recited Act should be repealed. It was felt to be a monstrous thing that the whole of the lunacy affairs of Scotland should be left to two medical men, without any appeal except to the Secretary of State, and it was therefore wished that there should be some arrangement which would render it necessary that this matter should be reconsidered within a short time. His second Amendment, that the Board should continue until Parliament otherwise determined, would have virtually secured this; but as that Amendment would be in breach of the privileges of the other House, he would propose his other Amendment in lieu of it.

Amendment *moved*,

At the end of the Bill to add the following Clause:—"Sections 22 and 23 of the first recited Act and such other of the provisions of the recited Acts as are inconsistent with this Act, are hereby repealed."

LORD KINNAIRD said, that if these two clauses continued in force, the two Inspectors would, at the end of two years, have all the power possessed by the Board.

THE EARL OF SHAFTESBURY said, what he feared was lest anything should occur which would throw them back on the parochial boards. Nothing could be more horrible, and he should oppose anything which would have a tendency directly or indirectly to bring about that result. They must have a body altogether independent. The subject must again come under the revision of Parliament, which was the object of the noble Duke who moved the Amendment; but inasmuch as the Bill as it stood would also have that effect, he hoped the noble Duke would withdraw his Amendment.

THE DUKE OF ARGYLL said, the Lord Advocate had given him the most positive assurance that he had never given it to be understood that he would introduce a clause which would render the appointments of the Inspectors merely temporary.

On Question, "Whether the said Clause shall be there added?" their Lordships *divided*:—Contents 40; Not Contents 31: Majority 9.

CONTENTS.

Ailsa, M.
Bath, M.
Normanby, M.

Airlie, E.
Amherst, E.
Bantry, E.
Beauchamp, E.
Carnarvon, E.
Cathcart, E.
Derby, E.
Desart, E.
Graham, E. (*D. Montrose.*)
Mayo, E.
Nelson, E.
Romney, E.
Rosslyn, E.

Clancarty, V. (*E. Clancarty.*)
Dungannon, V.
Hutchinson, V. (*E. Donoughmore.*)
Strathallan, V.

Oxford, Bp.

Bagot, L.
Chelmsford, L.
Churston, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Colville of Culross, L. [*Teller.*]
Congleton, L.
Denman, L.
Grinstead, L. (*E. Enniskillen.*)
Kingsdown, L.
Leconfield, L.
Lilford, L.
Polwarth, L.
Raglan, L.
Redesdale, L.
Rossie, L. (*L. Kinnaird.*) [*Teller.*]
Silchester, L. (*E. Longford.*)
Sondes, L.
Wynford, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)

Newcastle, D.
Somerset, D.

Ailsbury, M.

Clarendon, E.
De Grey, E.
Granville, E.
Grey, E.
Minto, E.
Saint Germans, E.
Shaftesbury, E.

Eversley, V.
Leinster, V. (*D. Leinster.*)
Sydney, V. [*Teller.*]

London, Bp.

Crewe, L.
Dunfermline, L.
Fortescue, L. (*E. Fortescue.*)
Harris, L.
Lyttelton, L.
Lyveden, L.
Mostyn, L.
Overstone, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Saye and Sele, L.
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Talbot de Malahide, L.
Taunton, L.
Wodehouse, L.

Amendment *agreed to*.

THE DUKE OF ARGYLL said, he was inclined to think that with that Amendment it would be better that the Bill should not be passed into law. But as it would come again under the consideration of the House of Commons, he would not then oppose its passing.

THE EARL OF DERBY said, the noble Duke's argument might be very conclusive, but it was quite incomprehensible. The noble Earl (the Earl of Shaftesbury), who had paid great attention to these matters, had expressed his belief that a revision of the present system would become necessary before two years were passed, in consequence of the abuses of the system. The noble Duke himself (the Duke of Argyll) had also acknowledged, that as the measure contained no provision for the continuance of the deputy inspectors, its revision would be inevitable in a couple of years.

THE DUKE OF ARGYLL believed that the Amendment would bring to a termination not only the Bill, but the system of inspection, which would be a most unsatisfactory result.

THE DUKE OF MONTROSE hoped th noble Duke would reconsider his opinion, and proceed with the Bill.

Bill *passed*, and sent to the Commons.

BISHOPS FOR HEATHEN COUNTRIES BILL—[Bill No. 129.]

SECOND READING. BILL WITHDRAWN.

Order of the Day for the Second Reading read.

The Bishop of OXFORD said, the Bill which he had now to ask their Lordships to read a second time was a very brief one, consisting of a single enacting paragraph. He would shortly state the circumstances which rendered it desirable in his opinion that they should give their sanction to such a measure. In the 26th year of Henry VIII. an Act was passed requiring that there should be the licence of the Crown to fill the office of bishop, and the mandate of the Crown to enable the Archbishop of Canterbury to proceed to consecrate the bishops so named. The object was to prevent the intrusion into sees within the dominions of the Crown of Bishops named by the Pope; and it seemed perfectly clear that it was not the intention to limit the power of bishops and archbishops of the Established Church to confer the merely spiritual office of bishop, as separate from exercising the office in one of the sees in the United Kingdom. But when it was thought desirable to appoint new bishops for the United States after the severance of their connection with this country, it was found that the terms of the Act of Henry VIII. were so extensive, that a new Act had to be passed for the purpose of enabling the archbishops and bishops in England to proceed to the consecration of the American bishops. The preamble of that latter Act was the immediate cause of the difficulty which he proposed to remove by the present measure. That preamble declared that it would be unlawful for the archbishops and bishops without the licence of the Crown to proceed to consecrate; and the consequence was that, in the opinion of lawyers, that amounted to a Parliamentary declaration that the power of conveying even the purely spiritual authority of a bishop, without holding a see within the dominions of the Sovereign of England was thus limited. It was, consequently, necessary to pass a new Act with respect to the consecration of the Bishop of Jerusalem, which recited the old one, and gave the form of licence to proceed to the consecration. It was a great exception to the ordinary law of nations, and the result of an arrangement between the Government of England and the Mohammedan Government, by which the consent of the latter was obtained. The whole collective legal powers of a bishop, as distinguished from the spiritual powers, were derived from the Crown, and could only be granted within its own dominions. The Crown could not, he apprehended, grant them externally except by arrangement with the governing power of the foreign country. Of late years the desire of the English people had been to favour all attempts of the Church of England to spread the blessed truths which it had itself received among heathen people. At first there was no wish to subject missions to the control of bishops. No bishops were granted to America as long as it was united to this country. But an alteration of opinion had occurred, and it was found that nothing so effective to spread the truth could be devised as placing over the labourers of the vineyard their own proper head, a bishop of their own Church. The result was that colonial bishops had multiplied until they now exceeded in number the bishops at home. The same spirit led Churchmen to desire to place over the missions abroad bishops of the Church of England, who would lend the whole strength of their authority, and the advantage of their direction to the difficult task of converting the heathen. There was nothing in the words or intention of the Act of Henry VIII. which touched the question. The object of the Legislature was to prevent the intrusion into the sees of England and Ireland of bishops to occupy those sees not named by the Crown. It had nothing to do with the spiritual office or authority. But the Act of Uniformity required that no person should be consecrated to the office of bishop in England or Ireland except by the archbishop and bishops using the office of consecration provided in the Common Prayer Book. One part of that office was a rubric which directed that at a certain point the Queen's licence and mandate should be demanded by the officiating archbishop, and should be read; and it was held by lawyers that the rubric was taken up into the Act of Uniformity by the words in the Act referring to the form of consecration wherein the rubric was contained. There was no intention whatever to limit the power possessed by bishops of the Church of England any more than the power of bishops in every country in Europe. But, as an incidental effect, their power was limited, and they were under restrictions to which Wesleyans and Roman Catholics were not subject in regard to sending out missions, with a proper head, perfect and complete. By favour of the Government, the opinion of the Law Officers of the Crown had been obtained upon the question whether a colonial metropolitan (such as the Bishop of the Cape of Good Hope and the Bishop of New Zealand), with two other colonial bishops, could consecrate missionary bishops without the licence and mandate of the Crown, and their opinion was affirmative. But it was inconvenient to be forced to have recourse to that mode. There must be two bishops present with the metropolitan. They were placed at great distances, sometimes 400 and 500 miles apart. Great expense must be incurred, and often a delay of one or two years before consecration could take place. It was, further, a great safeguard to bring the bishops sent into heathendom as much as possible into connection with the mother Church, and they were far more under influence and control when consecrated by the archbishop and bishops than when sent out from these colonial centres. For these reasons it was desirable that the difficulties in the way of consecration to the purely spiritual office should be removed. Even within the dominions of the Queen recent legislation had set free the colonial bishops themselves from these requirements, and at this moment the Canadian clergy and laity elected their own bishops and proceeded to consecration without the licence or mandate of the Crown. If the Church was thus set free within the Queen's dominions, how much stronger was the case when, as he submitted, no conceivable evil could arise from putting an end to the restriction. His reason for making this proposal was no theoretical setting free of the Church—he had a direct practical object in view. Two years ago a large sum of money was raised in order to establish a mission in Central Africa, follow up the discoveries of Dr. Livingstone, suppress the slave trade, and propagate Christ's Gospel there. A bishop was consecrated, a settlement formed on the high grounds of Central South Africa, with a great gathering of people round; and in a letter which he had recently received Dr. Livingstone stated that all his expectations were being fulfilled; and that if the mission could only be maintained for a short time longer, the slave trade would be stopped, and the whole settlement would become entirely self-supporting. But the bishop died of a fever, not having lived in vain, and Dr. Livingstone earnestly urged the importance of losing no time in appointing his successor. There was other testimony to the same effect; but it would not be possible to comply with these wishes unless the existing difficulties in regard to consecration could be surmounted. This matter touched not the supremacy of the Crown. The Church of England was incidentally prevented from exercising a purely spiritual power, which for every reason she ought to be at liberty to use, in order to enable her to discharge her duty as a missionary Church, and set her free for the great work before her. The Bill which he now proposed to their Lordships to read a second time had, for its object, to remove from the Church of England those shackles which at present so much impeded her usefulness.

Moved, That the Bill be now read 2ª.

THE LORD CHANCELLOR felt it his duty to give the most earnest opposition to this Bill, which was not requisite for the purpose of enabling the Church to perform the great work of piety and charity mentioned by the right rev. Prelate. There was no need of any enactment beyond those already in existence for the purpose of constituting bishoprics in heathen or foreign countries; and he regarded this Bill as one of the first steps taken to assail and remove the supremacy of the Crown, and as a serious attempt to affect the relations between Church and State. He begged their Lordships to oppose the first commencement of any such legislation, which might otherwise be drawn into a most dangerous precedent. The 25 *Henry* VIII., alluded to by the right rev. Prelate, was one of the most important laws on the statute book—it placed the Crown in the position in which, constitutionally, he hoped it would always remain—as head of the Church. Now, as head of the Church, the Crown arrogated to itself no power of determining matters of faith, further than they were involved in the Articles and in the Liturgy; but the Crown claimed the ecclesiastical and spiritual jurisdiction which was exercised by the ecclesiastical courts. The statute of Henry VIII. had another object, which was not only to place the Crown in that position, but further to enact that no dignitary in the Church should be created within any part of the Queen's dominions without the sanction of the Crown. The object of the present Bill was to do away with that necessity—this, at all events, was its effect;—and it would give what many were so desirous of obtaining—an independent action of the Church, as they called it—an emancipation of the Church from the obedience which the constitution required from her to the Crown. This obedience was one of the distinct objects of the statute of Henry VIII., the principle embodied in which had always been adhered to in subsequent legislation. It was perfectly true that the Act was directed to everything which should be done within the realm or any other of the Queen's dominions; and what their Lordships were now asked by this Bill to do was to empower the archbishops, without the authority of the Crown, to consecrate a bishop within the realm, although the mission and the duty of the bishop would lie more particularly in foreign countries. Now, the first occasion on which it became necessary to consider the propriety of appointing bishops to exercise their office not within the realm, was shortly after the separation of the United States from this country. At that time application was made to Parliament to enable the bishops of the English Church to institute persons as bishops to act in that capacity for the benefit of the large congregations of individuals attached to the English Church who were to be found in the United States. But what were the conditions with which the power was accompanied? Power was given to the Archbishops of Canterbury and York, with such bishops as they should call to their assistance, to consecrate persons, being subjects or citizens of countries out of Her Majesty's dominions, without the Queen's licence or the Royal mandate under the Great Seal. But, then, it was also enacted that no person could be consecrated a bishop in the manner thus provided until the Archbishop should first have applied for and obtained His Majesty's licence by warrant under his Royal signet authorizing and empowering the performance of such consecration and expressing the name of the person to be consecrated. Thus, although the Royal mandate was dispensed with, the supremacy of the Crown was preserved, and authority from the Crown was required before consecration was permitted within the realm. The next occasion on which this subject was discussed was upon the appointment of the Bishop of Jerusalem. It was then provided that any archbishop or bishop should consecrate any British subject or subject of a foreign state to be a bishop in any foreign country. The Bill now proposed to give power to create bishops to act in foreign countries; but the power and authority were already given, and therefore there was no necessity for this Bill. But the present Bill went beyond that. When the general power was given to dispense with the Queen's warrant it was also provided that no person should be consecrated a bishop until the Archbishops of Canterbury and of York should have applied for and obtained Her Majesty's licence to perform such consecration. Those conditions had been required as necessary compliances with the law and the constitution, because it was necessary, to maintain the Constitution of the country in Church and State, that no act should be done by which dignity is conferred, except under special authority emanating from the Sovereign, as the source of all authority, temporal and spiritual. It may be said that the object of the licence was to give spiritual jurisdiction; but if the right rev. Prelate looks to the Act of Parliament to which I have referred, he will find that the second clause provides that any bishop so consecrated might exercise, within such limits as might from time to time be assigned for the purpose in such foreign countries by Her Majesty, spiritual jurisdiction over the ministers of British congregations of the Church of England and Ireland, and over such other Protestant congregations as should be desirous of placing themselves under his authority. The Bill before the House was limited to the object of consecrating bishops to officiate in heathen countries with a view to evangelize the heathen. He sympathized with that, and he thought the right rev. Prelate would receive with satisfaction his assurance that the Bill was unnecessary, although he might regret that he had been induced to delay in responding to the appeals that had been made to him. But to get rid of the necessity for the licence of the Crown, to dispense with the acknowledgment of the supremacy of the Crown, to give independent action to the Church, to lay a foundation for the severance of Church and State, to emancipate the Church from the control of the State—all these objects, although properly disclaimed by the right rev. Prelate, might be effected by this Bill. It would, he believed, lead—no doubt, unconsciously on the part of its proposer—to a putting aside of the Crown in the consecration of bishops by the archbishops. That was opposed to the spirit of the constitution, and opposed to precedent, and he hoped the proposition would not receive the sanction of their Lordships. There was no reason to depart from precedent, because there was no difficulty in obtaining the licence of the Crown. Therefore there was no object or necessity for this Bill, which had been introduced under an erroneous belief, and which he hoped would not receive the sanction of the House.

Amendment *moved*, to leave out "now," and insert "this day six months."

THE BISHOP OF LONDON said, that the Bill as originally laid on the table of the House contained a distinct clause requiring the assent of the Crown to the consecration of a missionary bishop; and so far as he had had an opportunity of discussing the Bill with his right rev. Brother, he believed that the Royal permission for the consecration formed a part of the scheme he desired to see adopted. He did not know why his right rev. Brother had withdrawn that clause. If the Bill were proceeded with, he should think it his duty to move its re-insertion. From the conversation he had had with his right rev. Brother, he did not think he would object to such a proposition; and if it were acceded to, he believed there would be no difference of opinion between Her Majesty's Government and his right rev. Brother on that point. The noble and learned Lord had stated how much could be done under the existing law; but there were difficulties which this Bill was intended to meet which were not provided for by the existing law. As a matter of fact, in December last, a bishop had been consecrated for Honolulu, for a country over which Her Majesty had no dominion. The appointment was made at the request of the independent Sovereign of the country, and the consecration took place under the Jerusalem Bishopric Act. Having taken part in the consecration, he was bound to say that there were serious difficulties in proceeding under that Act. The law was that the bishop to be consecrated under Her Majesty's licence should act as a bishop of the Church of England. The request of the Sovereign of Honolulu was that the Church of England would send out a bishop who should become the founder of a Church of his own in that part of the world, and therefore phrases had to be inserted in the licence which were felt to be out of place. Hence it was felt that some change in the existing law was required. Again, there was another reason for the present measure, that persons ordained by the bishops consecrated under the Jerusalem Bishopric Act or the American Act could not exercise their functions within Her Majesty's dominions except for two days. No such restrictions applied to the bishops who, without the Queen's licence, had of late been consecrated at Cape Town and in New Zealand. The missionary bishops consecrated under Her Majesty's licence were, therefore, in a far more disadvantageous position than those consecrated without any reference to the Royal licence. These were the reasons which led him to think that there was a necessity for some alteration of the law; first, that the law, as it at present stood, was not well applicable to cases which actually arose, because incongruities occurred in applying the American Bishops Act and the Bishop of Jerusalem Act; secondly, that the law as now administered put those who were consecrated at home by Her Majesty's licence under these Acts in a more disadvantageous position than those who were consecrated in the Colonies without any reference to Her Majesty. One thing he was perfectly certain of, that those of his right reverend Brethren who had assented to the introduction of this Bill contemplated nothing whatever that would interfere with the Royal supremacy, and that they valued the blessings which arose to the Church of England from that supremacy. It might, perhaps, be well to ventilate the subject a little longer before legislating, but there was a growing feeling of the necessity of some change, and and he could not but think that his right rev. Brother had only fulfilled a simple duty in bringing the subject under their Lordships' notice.

THE LORD CHANCELLOR said, the right rev. Prelate who had just sat down referred to a clause in the first edition of the Bill requiring the assent of the Crown. Now, what was the effect of that clause? It required that before any consecration of a bishop should take place the assent of the Crown thereto should be duly signified to the Archbishop, thus making the Crown a mere assenting party, and the office to emanate from the Archbishop. Now, he would consent to nothing, and he hoped their Lordships would not consent to anything, by which the licence, the authority, and the office would not come directly from the Crown in the manner provided for by the existing statutes.

The Bishop of OXFORD hoped their Lordships would permit him to trouble them with a word or two in explanation. The Lord Chancellor spoke with grave authority; but the graveness of his authority should lead to very great exactness. He thought the noble and learned Lord had used high-sounding words of very huge import, but had given no reference to the facts which he had asserted. He would prove that the noble and learned Lord had asserted what was not the fact. For instance, he said that an Act was passed in the reign of Henry VIII. to secure the supremacy of the Crown, by which the Crown was made the head of the Church; and he proceeded to argue from that, that the power to issue a licence for the consecration of a bishop was an inalienable power of the supremacy, and was guaranteed by that Act. What was the fact? It was perfectly true that the 25 *Henry* VIII., c. 2, enacted that the King's Highness should be head of the Church of England, and that he should have all power of suppressing heresy, and setting right doctrine; but surely the noble and learned Lord should have been aware that that Act was repealed in the reign of Mary; and when at the beginning of the reign of Elizabeth the Acts bearing on this matter repealed under the reign of her predecessor were re-enacted, that Act was specially not re-enacted. Therefore the Act which the noble and learned Lord had cited in proof of the Queen's supremacy as head of the Church had no bearing on the subject under discussion. The Act that did bear on it was the 20 *Henry* VIII., which recited that express licence should be necessary for the filling of any bishopric within the King's dominions. That Act expressly stated that the licence should be necessary for filling any bishopric or see within the King's dominions. The whole legislation of Henry the Eighth's reign was very exact, and it did not claim what the noble and learned Lord had claimed for the Crown—namely, that it was the source of the spiritual authority of the Church; on the contrary, it disclaimed it. What it claimed was that the Crown was the source of the jurisdiction appended by law to the exercise of the authority which came from the foundation of the Church. The two things were as different as possible. The supremacy of the Crown was the supremacy of the law. The Act required that all jurisdiction exercised by the ecclesiastical courts should be derived from the Crown. It never stated that the spiritual authority of the bishops, the power of conscience governing the souls of those in communion, was derived from the State. This would be to do all that Romanists had put forward in their worst forms of attack against the Church of England.

The LORD CHANCELLOR said, those noble Lords who had listened to him attentively must have observed that he entirely disclaimed for the Crown any authority in spiritual matters, except as regarded the Articles and Liturgy. To say that he had sought to invest the Crown with spiritual authority was merely to play on the double meaning of the words "head of the Church," and to attribute to him a claim on behalf of the Crown to a spiritual headship which in the language of Queen Elizabeth's statute was Christ's.

The Bishop of OXFORD said, he did not perceive that that explanation made the slightest difference. The whole point turned on the words in the 20 *Henry* VIII., enacting that the King and his successors might grant a licence, as had been customary of old time. He asked the noble and learned Lord to point out any statute of the realm that contemplated any other licence prior to the Act for consecrating the American bishops and the Bishop of Jerusalem Act. When the noble and learned Lord talked about the danger of the thin end of the wedge, it seemed entirely to have slipped his memory, that so far from this being the beginning, in the case of two bishops within the Queen's dominions this liberty had already been conceded. It was not the jurisdiction, but the authority, of which the noble and learned Lord spoke in relation to the Crown.

The LORD CHANCELLOR: I said "all spiritual authority exercised by any ecclesiastical courts." There is again an attempt to play on the double meaning of the word "spiritual."

The Bishop of OXFORD: I am very glad to have drawn from the noble and learned Lord a limitation which was not in his speech. ["Order!"] In what way am I out of order?

Earl GRANVILLE: The right rev. Prelate asks in what way he is out of order. Why, has not the right rev. Prelate given a direct contradiction to the noble and learned Lord on the Woolsack?

The Earl of ROMNEY observed, that he had heard the noble and learned Lord use the words he had just repeated to the

House, after he had first spoken of the supremacy of the Crown.

THE EARL OF SHAFTESBURY said, he was sitting close to the Lord Chancellor, and he believed he had used the very words he had just repeated.

VISCOUNT DUNGANNON was proceeding to state to their Lordships his recollection of the Lord Chancellor's first statement, when

THE MARQUESS OF CLANRICARDE rose, and expressed a hope that this kind of discussion would not be persevered in. There was a Standing Order of their Lordships' House to the effect that a Peer's own statement as to words which had been used by him should be accepted by the House.

THE BISHOP OF OXFORD accepted the noble and learned Lord's statement—accepted it thankfully. He should be happy to make any additions to the Bill which legal sagacity could point out, in order to avoid those dreadful evils which the noble and learned Lord had foreshadowed, but which he had not shown their Lordships any ground for apprehending. He therefore hoped their Lordships would read the Bill a second time.

EARL GRANVILLE hoped the right rev. Prelate would not press the second reading of the Bill. He agreed with the right rev. Prelate (the Bishop of London) that more time was required for a consideration of the subject; and he thought the argument of the Lord Chancellor, with regard to the constitutional question, remained unweakened by that of the right rev. Prelate who had charge of the Bill.

THE BISHOP OF OXFORD said, he would not press the Bill to a division, especially as there was so small a representation of the episcopal Bench present.

THE EARL OF DERBY understood that one main object of the Bill was that no time should be lost in filling up two vacancies which had occurred. The noble and learned Lord on the Woolsack had stated that under the existing Act there would be no difficulty in applying immediately for the licence of the Crown, which, under the circumstances, would not be refused. Considering that fact, and seeing great inconvenience in continuing a discussion which might lead to no result, he would recommend the right rev. Prelate not to press the Bill.

THE LORD CHANCELLOR said, it was contended that he had made a mistake in using the word "spiritual." Now, what was the oath of allegiance? It said that—

> "No Foreign Prince, Power, Prelate, or Potentate, hath, or ought to have, any jurisdiction, power, pre-eminence, or authority, civil or ecclesiastical, in this realm."

And another declaration contained an acknowledgment of Her Majesty's supremacy in all spiritual matters—not spiritual with regard to matters of faith or doctrine, but spiritual as to jurisdiction.

THE BISHOP OF OXFORD said, the noble and learned Lord had again been guilty of an inaccuracy. He had said that Her Majesty was supreme over all matters. That was not the case; it was in all causes and over all persons. That Her Majesty was supreme in all causes he allowed, but her supremacy over all matters would greatly alter the case. After what had been said he had no hesitation in withdrawing the Bill.

Amendment and Original Motion (by leave of the House) *withdrawn;* and Bill (by leave of the House) *withdrawn.*

House adjourned at half-past Eight o'clock, to Monday next, half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 11, 1862.

PAROCHIAL ASSESSMENTS BILL.

[BILL NO. 144.] COMMITTEE.

Order for Committee read.

House in Committee.

Clause 14 (Committee may enlarge Time for making Valuation Lists, and may give Directions concerning Valuations and Valuation Lists, and may appoint Persons to make the same).

MR. ASPINALL TURNER said, the Bill was one of the greatest importance, and had caused much excitement throughout the country, and the fact that they were about to discuss it in a Committee of only about twenty Members was perfectly monstrous. He therefore begged leave to move that the Chairman do report progress.

MR. C. P. VILLIERS said, that almost every one who had taken a part in former discussions had been in favour of the principle of the Bill. That was the third time the House had gone into Committee on the Bill; and as the remaining clauses only involved the machinery of the Bill, he trusted the hon. Member would not press his Motion.

MR. ALDERMAN SIDNEY said, he was of opinion that the fact of so few Members being present, showed that the Bill had created no excitement in the country, and that the absent Members were satisfied with it.

MR. ASPINALL TURNER said, he should persist in going to a division.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:* — Ayes 7; Noes 29: Majority 22.

MR. KNIGHT said, he objected to the power given to the committees to appoint valuers without specifying the exact amount of remuneration, and also to the mode of valuation. There was only one way of mitigating the injurious operation of the clause, namely, by making the cost of the valuation payable out of the common fund of the union. He thought the whole of the clause so objectionable that he was inclined to move the omission of all the words in it after the words "The union," at its commencement.

MR. DODSON said, the clause contained the pith and marrow of the Bill; and he hoped after it had been agreed to there would be no further objection to the progress of the measure, which had been thoroughly examined in the Select Committees.

MR. NEWDEGATE said, he thought that there could be no doubt that the real difficulty was that which was felt by the hon. Member for Manchester, when he moved to report progress—namely, that the Bill was being discussed by a mere fraction of the House; and, as far as the opinion of the Members were concerned, he was thoroughly convinced that the seven who voted for reporting progress fairly represented the opinion of the absent Members.

MR. H. A. BRUCE said, he was of opinion that the hon. Member was making mountains of mole-hills, and that the real cause of the absence of Members was because the absentees were thoroughly satisfied with it.

MR. HENLEY said, that the clause was one of the most important of the Bill; and believing that it was neither fair nor decent to go on with the discussion in such a House, he had voted in the minority in favour of reporting progress. The Bill was in a very curious state, because when a Committee had sat two years upon it, and, as they said, settled the whole matter, they found that even the Government that supported it and Members of the Committee who sat upon it differed widely with regard to the clauses. Two things were wanted in such a measure as the present—first, to secure equality between occupiers in the same parish; and, secondly, to secure equality between parish and parish in the same union. With regard to the first, if the system were to come into force, the occupiers of houses in a particular parish in a union ought to have power to go to the committee to say, that as a parish they were satisfactorily valued, but that they required to have the valuation more fairly apportioned among themselves. With regard to the second point, the common fund was so important an item of expenditure that the Bill ought to have contained some more distinct provision that all those parishes should be rated on the same basis. He thought that the power of appeal given by the hon. Member for Bridgwater would not cure those difficulties, because they could only deal with the appeal as to those parishes which happened to be in the county to the quarter sessions of which the appeal would go. At the same time, he quite admitted that he did not see how it was possible to remedy the existing defects.

MR. C. P. VILLIERS said, that enormous evils and great irregularities existed in regard to parochial assessments, and the Bill contained an improved machinery for correcting some of those evils. It provided effectually for remedying inequalities between occupiers in the same parish. As between parish and parish, there were no means of establishing a uniform rate. The assessment committee, however, would have a sort of jurisdiction over the whole union, and they would be able to rectify any inequality between different parishes. Something like a principle of rating was established in the 6 & 7 *Will.* IV; but it was not always acted upon, and it would be the duty of the assessment committee to see that that principle was fairly carried out. The object of the Bill was to prevent expense, and to obtain a correct and uniform valuation of different parishes. He proposed, however, to insert a provision against the assessment committee correcting the valuation without referring the subject to the whole of the board of guardians. With respect to the parishes forming part of a union situated in two counties, there would be the same remedy as in the case of an appeal against a county rate.

MR. HENLEY said, that the right hon. Gentleman had not at all met the case he put. The union which he had in his mind was situated in two counties, and it might happen that the parishioners of one might appeal to the quarter sessions of another county, and those two courts of quarter sessions might come to contrary decisions. The inconvenience which might arise from such a state of things was not provided for in the Bill, and in his opinion it was a capital defect.

COLONEL NORTH said, the case might be carried still further, because some unions were situated in three counties.

MR. AYRTON said, the Bill aimed at remedying certain inequalities in regard to tenements, and also at establishing uniformity of rating between parish and parish; but it appeared to him that the Bill proposed to accomplish those two objects in a very inconvenient manner. He proposed to omit the words "correctness of such list," and to insert "for ensuring a uniform and correct valuation of every parish in the union."

MR. DODSON said, he could not see any advantage in the Amendment, as it merely substituted words the meaning of which was exactly the same as the words already in the clause.

MR. KEKEWICH said, he thought the Poor Law Board should have the power of confirming the appointment of the surveyor, in order to provide against the appointment of an incompetent person.

MR. C. P. VILLIERS said, that under the present system, where a new valuation was required, the Poor Law Board agreed to such new valuation being made, and left it to the board of guardians to appoint the surveyor. As the object of the Bill was to effect a correct and uniform rating in every parish in the union, of course he should have no objection to the insertion of any words which might attain that object more conveniently than would the clause if passed in its present shape. He had no objection to permit the representatives of different parishes to come before the assessment committee to complain of inequality.

Amendment *agreed to.*

LORD HENLEY said, he thought the first thing the assessment committee would have to do after the passing of the Bill, would be to direct a new assessment of the whole of the property in the union. It might cause some extra expense, but it would prevent a vast deal of litigation.

MR. DEEDES said, if the slightest idea had existed that there was to be a new valuation of the property in the unions, the greatest objection to the measure would have arisen throughout the country, and the result would be that no Bill of the sort would be passed through either House.

MR. HENLEY said, he thought the clause should stand as it was, and that parties should be left to do as they liked with regard to a new valuation. If a new valuation should be made compulsory, the anticipated expenses would create much opposition to the Bill, and it would be their duty to resist the passing of it altogether.

Clause *ordered* to stand part of the Bill.

Clause 15 (Valuation Lists to be deposited for Inspection, and afterwards transmitted to the Committee).

MR. HENLEY said, it sometimes happened that a surveyor valued the property in a parish too high by 20 or 25 per cent. If the surveyor made a valuation of that kind, he wished to know whether the assessment committee were to have any discretion in the matter, or were they to send the valuation to the parish to be appealed against? He thought the assessment committee ought to exercise their own judgment before they sent the valuations to the parish. He thought also that some provision should be made by which parishes should have an opportunity of seeing, at the board of guardians, how other parishes were rated, so that they might appeal if they considered themselves aggrieved.

MR. C. P. VILLIERS said, the suggestion was deserving of consideration. If an alteration of the clause were thought desirable, it might be made on the report.

MR. DEEDES would prefer that the valuation should be sent at once to the parish, instead of being cavilled over by the assessment committee.

MR. AYRTON said, he would move, as an Amendment, words which would provide that a copy of the valuation lists should be sent to the board of guardians, and be there open to inspection of the ratepayers.

Amendment *agreed to.*

Mr. KNIGHT said, he could not allow the clause to pass without taking a division against it. The Bill would cause great expense, and much objection would be felt to it in country districts.

Mr. WALTER said, that the clause had nothing to do with taxation. If the hon. Member wished to raise the question whether the expense of the valuation should be defrayed out of the common fund or out of the rates of each parish, the proper time for so doing would be on the 34th clause.

Clause, as amended, *agreed to.*

Clause 16 (Objections to Valuation Lists).

Mr. AYRTON said, he wished to move an Amendment, to the effect that any overseer of any parish in a union should have the same right as any person to object on behalf of the parish to the valuation.

Amendment *agreed to.*

Clause *agreed to.*

Clauses 17 to 19 also *agreed to.*

Clause 20 (If on Appeal a Rate is amended, the Valuation List to be altered).

Mr. HENLEY said, he wished to ask the Committee to consider whether it was wise, on a simple question of value, to give an appeal to a couple of justices in petty sessions, as well as an appeal to quarter sessions.

Mr. H. A. BRUCE said, that the Select Committee were desirous to disturb the existing law as little as possible.

Mr. Alderman SALOMONS said, he trusted that the right of appeal to petty sessions would not be taken away.

Mr. AYRTON suggested that the ratepayers should be able to appeal against the assessment and the valuation as well as against the rate.

Clause *agreed to.*

Clauses 21 to 23, inclusive, were also *agreed to.*

Clause 24 (Committee may from time to time direct new Valuation and new or supplemental Valuation List).

Mr. HENLEY said, he objected to the provision giving power to the Committee to require a person applying on frivolous or insufficient grounds for a new survey to pay the costs of the new valuation.

Mr. C. P. VILLIERS said, the words were inserted by the Select Committee; but if the right hon. Gentleman had no fear of any frivolous application, he was willing to strike out the proviso.

Mr. HENLEY said, the assessment committee need not be at any expense, as they were not obliged to order the survey unless they thought it necessary.

Clause, as amended, *ordered* to stand part of the Bill.

Clause 25 was also *agreed to.*

House *resumed.*

Committee report Progress; to sit again on *Tuesday* next at Twelve of the clock.

COMMERCIAL TREATY WITH BELGIUM QUESTION.

Mr. HEYGATE said, he wished to ask the Under Secretary of State for Foreign Affairs, What progress has been made in the negotiations for the long-promised Commercial Treaty between Belgium and this country?

Mr. LAYARD said, he had been obliged to ask the indulgence of hon. Members before upon this subject, and he was afraid he should have to do so on the present occasion also. Her Majesty's Government were most desirous to bring the matter to a successful conclusion, but they could not consent to give any details on the subject while the affair was still pending. M. Rogier, the Belgian Minister, who took a deep interest in the subject, was now in this country, and was engaged in negotiations which he hoped would be brought to a favourable termination.

CHINA—THE TAEPINGS.—QUESTION.

Lord BURGHLEY said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to the accounts which have appeared in the public journals of the horrible atrocities alleged to have been perpetrated by the Chinese upon the Taeping prisoners who had been given up for execution into the hands of the Mandarins by the English and French authorities; and whether the Government has received any official intelligence on the subject?

Mr. LAYARD in reply said, his attention had been called by his hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) to a letter, without date, which appeared in an Indian newspaper, and which did not state where the alleged events took place. The letter was anonymous, nor was there any clue whatever to its writer. The letter appeared to him to bear internal evidence of being untrue, or, at all events, to have grossly exaggerated the facts. That part of the letter which referred to the English prisoners who fell into the hands of the Chinese was entirely untrue, and he trusted that the rest was equally false. He felt confident that no Englishman would be a party in any way to the barbarous executions which were alleged to have taken place. The letter appeared to be a reply to certain statements in the *Saturday Review.* He had written to China for all the explanations that could be obtained on the subject, but he had a strong conviction that the letter was a series of gross exaggerations.

CORRUPT PRACTICES AT ELECTIONS BILL—[BILL No. 43.]—QUESTION.

MR. POWELL said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to proceed with the Corrupt Practices at Elections Bill in the present Session, or merely to renew the existing Act upon the subject; and, in the event of the Government proceeding with the Bill before the House, whether it is intended to insist upon the last clause, which provides for the disfranchisement of the whole body of electors in constituencies in which corrupt practices are reported to have existed?

SIR GEORGE GREY said, he wished to proceed with the Bill, but was obliged to postpone it, owing to the Parochial Assessment Bill, and Lunacy Law Amendment Bill, of which he was in charge, not having made greater progress. Next week he should be able to say whether he should be able to proceed with the Bill or not. As to the last clause, the hon. Gentleman was mistaken in the view he had taken of it. It did not disfranchise the whole body of electors, but merely sanctioned the suspension of the writ in the event of corrupt practices being proved.

TROOPS IN CANADA.—QUESTION.

MR. ADDERLEY said, he would beg to ask the First Lord of the Treasury, Whether information has been received of any measures having been introduced by the new Canadian Ministry for the embodiment of a Militia or Volunteer Force; and if so, what is the nature of such measures; if not, whether he intends the 12,000 British troops now there to remain during the winter wholly unaided by the Canadians themselves; and whether he will lay upon the table Copies of the Correspondence which has passed between the Secretary of State for the Colonies and the Canadian Government on the subject of a guarantee from the British Treasury to a loan of £3,000,000, on certain conditions, for the proposed Railway?

MR. CHICHESTER FORTESCUE said, that the new Canadian Ministry had carried an Act amending the Militia Law of the Colony. It was less extensive than the measure introduced by the late Ministry and rejected by the Canadian Parliament. But it increased the power of the Governor General in respect to calling out the Militia, and raised the active portion of that force from 5,000 to 10,000 men. With respect to the correspondence asked for, it was laid before Parliament a week ago.

VISCOUNT PALMERSTON said, in the present state of things it was not the intention of the Government to withdraw any portion of the troops from Canada. At the same time, he would say he could not entertain a doubt, if there were any occasion for the defence of the country, there would not be simply 10,000 Militia to undertake that duty, but as many men would be ready to take arms as the circumstances of the case might require.

RECOGNITION OF THE KINGDOM OF ITALY.—QUESTION.

MR. CAVENDISH BENTINCK said, in consequence of an apparent discrepancy in the statements of the noble Lord and the Under Secretary for Foreign Affairs, he wished to ask the First Lord of the Treasury, Whether the Correspondence between the Governments of Russia, France, and Italy, relative to the recognition of the Kingdom of Italy by Russia, has been communicated to Her Majesty's Government; and if so, whether there is any objection to such Correspondence being laid upon the table?

VISCOUNT PALMERSTON said, that no such correspondence as that referred to had been communicated to Her Majesty's Government.

AMERICAN CRUISERS AND THE BRITISH FLAG.—QUESTION.

MR. GREGORY said, he wished to ask the Under Secretary of State for the Colonies, Whether any Despatches have been received from the Governor of the Bahamas relating to the capture, by United States Cruisers, of vessels sailing under the British flag; and, if so, whether he has any objection to produce them; and whether any complaints have been made by the Governor of the Bahamas of the blockade, by United States Cruisers, of the port of Nassau? He also wished to know, in case of such Despatches having been received, whether they have been submitted to the Law Officers of the Crown; and if so, whether they have pronounced any opinion upon the question at issue?

MR. SEYMOUR FITZGERALD said, before the hon. Gentleman answered the question, he hoped he would be kind enough to say whether he has communicated to the department of the Admiralty of this country, or to the Government of the Bahamas, any information in reference to the capture of the *Bermuda*, and whether that vessel was captured in British waters.

MR. CHICHESTER FORTESCUE said, that Despatches had been received from the Governor of the Bahamas, but the Government could not produce them at that moment, as the correspondence on the subject was still going on. The case of the *Bermuda* was one of those referred to in the Despatches. The circumstances attending the capture of the *Bermuda* and other vessels had been referred to the Law Officers of the Crown, but they had not as yet pronounced an opinion upon the matter. The Government had received no information as to anything that could be called a blockade of the port of Nassau. The Governor of the Bahamas reported that American cruisers had stopped certain vessels, on the ground of their intention to run the blockade of the American ports.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AGRICULTURAL STATISTICS.

OBSERVATIONS.

MR. CAIRD said, he rose to make a statement regarding the supply of food, and to put a question to the First Lord of the Treasury with reference to the collection of agricultural statistics. If he had no other reason for calling the attention of the House to the subject before the close of the Session, he might find an argument for so doing in the unfavourable character of the weather during the last two months. The cold state of the atmosphere was unprecedented at this period of the year, the Registrar General having reported that the temperature during the month of June was four degrees lower than it had been at any time during the previous forty years. Such continued cold, accompanied as it had been by wet, could hardly fail to be prejudicial to the crops, though he hoped that no serious damage had yet been sustained which might not be repaired, at least on the well-cultivated lands, by a few weeks of sunshine and heat. His information from several of the largest corn-growers led to that conclusion; but it had generally proved in England that a season characterized by cold weather was an unfavourable one for wheat. The question was one of growing importance, from the increasing dependence of the country upon foreign food. Since 1847 about one-fourth of the population, on the average, subsisted on foreign corn. But in the last three years that proportion had been gradually increasing, and within the last harvest year probably not less than one-half the population of the kingdom were fed on imported corn. That was partly the result of very deficient harvests in 1860 and 1861, but partly also, he believed, it arose from a diminished breadth of corn. The high price of labour, and the increasing value of live stock and animal produce, concurred, in his opinion, in tending to diminish in the United Kingdom the extent of land in corn, and to increase that of pasture. The farmers in Ireland had been adopting that system to a large extent. Between 1849 and 1859 the extent of corn land in Ireland had diminished one-fifth, whilst the number of live stock had increased one-half. Such a change would be perfectly legitimate and proper, and would be productive of little inconvenience, if they had any means of knowing with accuracy the extent to which it was taking place. But how vast the results which such a change might be silently working! If one farmer found it his interest to lay one-fourth of his corn land to grass, the probability would be that the same circumstances might influence all others. Now, one-fourth of the corn-crop of these kingdoms might be taken at 10,000,000 quarters. A deficit so vast, coming suddenly and without warning, would agitate every market, and unhinge all monetary operations. To some extent, he believed, they were experiencing the effects of such a change. The deliveries of home-grown wheat, as shown by the corn returns for the last sixteen weeks of that and the previous year, were 50 per cent less than the average of preceding years. The crops of 1860 and 1861 were, no doubt, most defective, but he could not help believing that so vast a decrease, especially in the present year, was partly caused by a diminution of the breadth sown. Now, a return of the acreage under each crop would give timely warning of any serious change. It was important to consider the principal sources of the supplies. Last year North America gave us three-eighths of our whole supply ; Russia, one-eighth ; Turkey and Egypt, one-eighth ; or five-eighths in all were thus drawn from distant sources of supply. The remainder was got from the nearer parts of Europe ; but, as the large proportion came from a distance, it was important that early notice of our probable requirements should be obtained. Moreover, we might have formidable competitors in the world's corn-market. France, which in 1858 and 1859 gave about one-fifth of our foreign supply, imported last year upwards of 5,000,000 quarters of wheat and flour. It would be a great mistake to treat the question as one solely affecting the farmers. He believed them to be fully as much interested in obtaining reliable information as any class, for they had the earliest command of the market, and might take advantage of that position if they had any means of accurately anticipating the course of prices. But the vast importance of the question as affecting the supply of food ought to override every objection in a country which so largely subsisted on foreign corn. It also most materially affected both financial and commercial proceedings. The payments for foreign corn in the last year amounted to the vast sum of £35,000,000 sterling, and that was £15,000,000 more than in any one year before 1860. But if they extended their calculations, and made a comparison of the cost of foreign corn and provisions for 1860, 1861, and 1862 (calculating the remainder of the present year in the same ratio as it had hitherto maintained), and compared it with that of 1857, 1858, and 1859, they would find the most startling result. That which cost £66,000,000 in the former three years, was increased to £118,000,000 in the latter. So that we had been paying in the last three years not less than £17,000,000 a year more for foreign corn and provisions than we had been accustomed to do. Agricultural statistics would not prevent that, but they would give us timely warning of what was coming. Again, in regard to commerce, the transport of such vast supplies was a matter of immense importance. Upwards of 3,000,000 tons weight of corn were imported last year, and must have employed that amount of shipping. And if they calculated three months as the average voyage, the conveyance of that supply would occupy for the whole year one-fourth of our foreign-going ships. Surely a question thus vitally affecting the supply of food, and the financial arrangements of the country, and giving such vast employment to the mercantile marine, ought not to be treated as solely a farmers' question. What had been done by the Government ? The right hon. Gentleman the Chancellor of the Duchy (Mr. Cardwell) some time ago suggested the employment of the county police as the most economical machinery for collecting the Returns. But whether they employed the police or any other machinery, they must pay for the additional duties they imposed upon the persons employed ; and, in his opinion, therefore, the employment of the police would be just as expensive a method of obtaining the information as any other that might be resorted to. The Home Secretary had sent a circular to the different counties to ascertain what the feeling was with regard to the collection of agricultural statistics, and the employment of the police in that duty, and the result was as follows—Thirty of the counties were favourable to the collection of statistics, but only fifteen of that number were favourable to the employment of the police ; twenty-one expressed no opinion as to the advantage of the collection of statistics, but objected to the duty being performed by the police ; six deferred the question for further consideration ; and only two objected to the colleciion of agriculture statistics altogether. In his own opinion the Office of the Registrar General afforded a machinery by which agricultural statistics might be most effectually, most economically, and most easily obtained. He did not say that they might not be obtained through the Office of Inland Revenue; for he knew that in Scotland the machinery existed in that office, by which the duty might be performed without any difficulty whatever, and he knew also that the Inland Revenue Office in England believed itself quite capable of performing the duty, and that the work could be done by that office and its sister office in Scotland for a sum not exceeding £20,000 a year, but there were reasons which induced him to give the preference to the Registrar General's Office. As the acreage was the only fact that could be ascertained, the inquiry should be limited to that, and it might be completed before harvest in each year. No Act of Parliament was needed—only an order of that House, and provision made for the necessary expenses. He was at a loss to know who really were the opponents of the measure. He believed that much of the former opposition to it on the part of certain farmers had died out, and the great body of them was not against it; for it had been most successfully done in Ireland and Scotland, and in several English counties. The great landlords were not against it, for the House of Lords had already passed a Bill on the subject. The Returns he asked for were not of an inquisitorial nature. He should have been extremely glad to have included in them the live stock bred and reared in England; but as that was of comparatively minor importance, and the farmers looked upon a return of live stock as exceedingly inquisitorial, he should not propose to enter into that part of the question. He would venture to adduce one opinion which, he believed, would have the greatest weight with both the House and the country. It was that of the lamented Prince Consort. In July, 1860, as President of the International Statistical Congress, the Prince, in his opening address, referred to agricultural statistics in these words—

> "The Registrar General of Ireland has proved by his success in obtaining these Returns, at a comparatively moderate expense, and by the voluntary assistance of the landowners and cultivators, as well as of the clergy of all denominations, that the apprehension was groundless that it could not be done without inordinate cost, or without injuring individual interests. We must hope," he added, "that considering its importance with regard to all questions affecting the food of the people, this inquiry will not only be extended to England and Scotland, but also to the continent generally, wherever it may not already have been instituted."

He trusted that such an opinion would have its full effect on Her Majesty's Government, and he begged to ask the noble Viscount whether the Government would take the matter up seriously, and themselves bring forward a plan for obtaining Returns of the acreage under the various crops in Great Britain.

Sir GEORGE GREY said, he had substantially answered the question of his hon. Friend at an earlier period of the Session. He was far from denying the advantages to be derived from the publication of accurate agricultural statistics; but he thought that such Returns would be unsatisfactory if they did not include live stock. At the same time, he agreed with his hon. Friend that to include Returns of live stock in the first instance would add to the difficulty of obtaining agricultural statistics, and it might be more prudent therefore, to confine the Returns at first to the quantity of ground on which corn was actually grown in this country. It had been rather assumed that there was great objection in that House to the production of such Returns; and no doubt there was some time ago a feeling against enforcing the collection of such statistics, but the opposition had, he believed, very much diminished, and the Returns from the quarter sessions, to which the hon. Member had referred, showed that there was no indisposition on the part of the owners of land to furnish the information. There was still some apprehension on the part of tenant farmers that the effect might be to increase their rents; but that objection might be met by avoiding the publication of individual Returns and giving the Returns for the district only. He felt that the publication of such information as the hon. Member desired could not do the farmers any possible injury, while the commercial interest might derive from it great advantage. The result of the inquiry addressed by his predecessor to the different counties was certainly not such as to justify the employment of police in collecting agricultural statistics. His hon. Friend, after ascertaining what the general nature of the replies was, had communicated with him with reference to the practicability of obtaining these Returns through the Registrar General; and he had had an interview with the Registrar General upon the subject. The Registrar General did not think it impracticable, but he saw more difficulty in the matter than his hon. Friend appeared to think existed. He (Sir G. Grey) was not, however, without hope that that office might be made available for the purpose, and that if Parliament would sanction the expense, the Returns might be obtained through its machinery. In his opinion, that agency would be better than the Inland Revenue Office, because he doubted whether the excisemen going to the houses of farmers, for the purpose of obtaining the necessary information, would be looked upon with much favour. The hon. Gentleman said that he did not think it necessary that an Act of Parliament should be obtained to carry out the object in view. No doubt an Act of Parliament would not be necessary if the making of the Returns were not to be compulsory; and it was not intended, when it was proposed that the police should be employed, that the measure should be compulsory in the first instance. He would communicate further with the Registrar General upon the subject.

Mr. BASS said, he wished to thank the hon. Member for Stirling for the clear, able, and comprehensive manner in which he had brought the subject before the House. Still, he was somewhat at a loss to know how the hon. Member obtained his information with regard to the amount of food consumed in this country, for the most remarkable differences of opinion existed amongst agriculturists upon the subject; and the consumption had been variously stated in the *Mark Lane Express* at from 15,000,000 to 30,000,000 of quarters. It was as important to have statistics of food as of population, and only the most ignorant amongst the farmers could have the smallest objection to giving the best possible information upon that very interesting subject. Certainly, when his hon. Friend brought forward the question on a former occasion, he did not receive any great amount of encouragement, but he trusted that there had been a change of feeling since then, and that there was no longer any objection on the part of those who represented agricultural constituencies in that House to the information being supplied. He hoped that the Home Secretary would at an early period next Session bring forward a measure upon the subject.

Lord HOTHAM said, that the hon. Member who had just sat down might, perhaps, include him and other Members on that side of the House amongst the most ignorant class of farmers, because they happened to differ from him in opinion. Although many of the persons engaged in agricultural pursuits might not possess an amount of intelligence equal to that of the hon. Member for Derby, and although, perhaps, they might entertain some prejudices, their prejudices were entitled to respect, and it was not by stigmatizing them as ignorant that those who desired this information would be likely to effect their object. He doubted very much whether the farmers would derive any benefit from these Returns. There was no doubt, however, that they would be very beneficial to corn merchants and persons engaged in trade, and the large and intelligent class of farmers in Scotland, who might be described as large capitalists; but he believed that the ordinary class of tenant farmers would derive no advantage whatever from them. As to knowing when they had best dispose of their corn, he believed that the old principle of threshing the corn as soon as it was ready, and selling it when threshed, would be found in the long run to be more advantageous to the farmer than speculating for high prices. It had been said that a great willingness had been found on the part of landowners to forward the production of agricultural statistics; but that fact, if it were a fact, might lead to increased unwillingness on the part of occupiers. He believed the feeling of farmers generally was, that the Government Returns would be acted upon in some way to their disadvantage; and as long as that feeling existed, great difficulty would be found in inducing them to consent to any compulsory system, even though their refusal might expose them to the attacks of the hon. Member for Derby.

Mr. HENLEY said, that his noble Friend (Lord Hotham) had so well expressed the feelings with which he (Mr. Henley) viewed this question that he should not have thought it necessary to address the House but for the remarks of the hon. Member for Derby (Mr. Bass). If anything could have been done to render the collection of agricultural statistics impossible, the hon. Member for Derby had contrived to do it. The hon. Gentleman appeared to have forgotten what had previously taken place on the subject some fourteen or fifteen years ago, when the right hon. Gentleman the Member for Halifax (Sir C. Wood) was Chancellor of the Exchequer. A Bill was brought in for the purpose, which was not very favourably received by the agricultural interest, who were in no very pleasant humour in consequence of the legislation which had taken place shortly before that period. That Bill, however, might probably have passed if those who wanted the information had been ready to pay for it. But the Chancellor of the Exchequer refused to do so. The course pursued on that occasion roused a strong feeling in the country, and to use a common expression had the effect of "putting their backs up." They said, "You are introducing an inquisitive measure for the advantage of a certain class of persons, and want us to pay for the information." He was not prepared to say whether any advantage could be derived from the modified system proposed, but he was satisfied that the difficulty experienced in getting it adopted was owing to the course pursued on the occasion to which he had referred.

Sir JOHN SHELLEY said, he was not surprised that the hon. Member for Derby, who was a large buyer, should be in favour of agricultural statistics. They all knew that the hon. Member, being at the head of a great establishment, which required to know the extent of the growth of barley, was obliged to obtain the information sought by these statistics, no matter at what cost; it would therefore, no doubt, be a great advantage to him if he could acquire that information at the public cost. But, when the hon. Member talked of the ignorance of those who might oppose these Returns, he must say he could not see how the farmers in any shape or way would be benefited by them. If there was any good in such Returns, it would be something which gave a fair average, on which they could depend; but there were such variations from one year to another that even the acreage would involve all sorts of difficulty. The business of the hon. Member for Derby was, no doubt, a very good one, and he could afford to buy the information he required; for himself, he protested avainst the public money being expended to enable a few wealthy men to obtain information at the expense of the community.

Mr. HUBBARD said, he thought the information, whether as to barley for malting, or wheat for the bread of the people, intimately concerned the general welfare. It was of great advantage that the earliest possible information should be had on the subject, and in case of a deficiency purchases should be made abroad as speedily as possible. It was quite true that a person in the position of the hon. Member for Derby, was deeply interested in acquiring the information; but he could command it sooner than any one else, and might sweep the markets of the produce he required; but if these statistics were supplied by the Government, every one would be as well informed as the hon. Member himself, and would have the same advantage in the market. He therefore hoped that no petty prejudice would prevent the Government from taking up the subject in a vigorous and determined manner.

Lord HARRY VANE said, he did not believe there was as much prejudice as was represented in the agricultural districts against the production of information; but as the benefit was to be general, the expense at least ought not to be charged on a class. Returns on the acreage sown would be of value, because the season would always indicate the prospects of harvest. In other countries such information was collected, and in France special pains were taken to obtain it; and, speaking generally, it had of late years been remarkably correct. It could hardly be that in this country the only subject on which information should not be furnished should be the subject of the food raised for the people. The expense of obtaining the information, however, ought not to be thrown on the county rates.

Mr. BRISCOE said, he must deny that the tenant farmers could justly be termed ignorant. They were generally a most intelligent as well as a most respectable class, and they deserved to have their opinions fairly considered. If a Bill were brought in upon the subject, he should feel himself at liberty to support or oppose it, as the character of the measure might appear to justify. He thought, however, that the proposed returns would mislead the tenant-farmers, from their necessary incompleteness. What was really wanted was more accurate information as to the statistics of foreign grain.

Mr. THOMSON HANKEY said, he thought the opinion of the hon. Member for Buckingham (Mr. Hubbard), from his great information on all such subjects, was deserving of the greatest weight with the House. He also trusted that next year the Government would take up the question, and secure the same information regarding agriculture in this country as they were all so anxious to obtain respecting everything that affected the corn-markets abroad.

Mr. PULLER said, there might be a considerable class of farmers who were obliged to thrash their corn as soon as they got it in, in order to pay their rent; but it did not follow that they were not interested in the result of the harvest, particularly in years of scarcity, being made known to all the world at the earliest moment. Any attempt to obtain from the farmers throughout the country the amount produced per acre would be entirely hopeless; but that was not at all necessary to enable us to judge of the probable amount of the harvest. By taking note of the sales by auction of farm produce in July and August the means of reckoning probable averages would be afforded. The Government might obtain all the particulars they required without any inquisitorial process.

MR. PAGET said, he believed that it would be advantageous to the whole community if the best information were collected on these matters. In 1854, England, from her want of accurate knowledge of the state of the markets, sold to France an enormous quantity of corn at a very moderate price, and rebought it afterwards at a great enhancement. The loss of money thus sustained would have paid the expense of collecting these statistics ten times over.

SIR BALDWIN LEIGHTON denied that there was any obstinate prejudice against the taking of agricultural statistics among the tenant farmers in his part of the country.

MR. HEYGATE said, he thought there was an almost unanimous opinion in favour of the collection of agricultural statistics in some form; the only objection was to their being obtained in an inquisitorial manner. He trusted the Government would, by acceding to the views of the hon. Mover, endeavour to wipe away from this country what he considered to be a disgrace to it.

STATE OF THE VENETIAN PROVINCES.

OBSERVATIONS.

MR. FREELAND, * rose to call attention to our relations with Austria, and also to the present state of the Venetian Provinces, as a source of danger to the Peace of Europe; and to ask the First Lord of the Treasury whether any Communications have been received from our diplomatic or consular Agents in Austria or Italy, with reference to the present state and proposed increase of taxation in the Venetian Provinces, and with reference to the number of Emigrés from those provinces, and to the sentences of illegal emigration which had been notified in the usual manner by the Austrian Government; and to move for Copies of any such Communications which Her Majesty's Government may have received. He said: Sir, if I thought that any discussion which may arise on the Motion which I am about to make, and particularly on that portion of it which relates to the Venetian provinces, could do harm to the best interests of the Venetians, or the Italians, or to the cause of order and peace in Europe, I would never have yielded to the urgent solicitations which have induced me to submit this Motion to the consideration of the House. I believe that, on the contrary, good may be done. I believe that, to some extent at all events, by means of frank discussion in this House, and perhaps in other Representative Assemblies, a danger to the cause of peace may be removed from the chapter of passions and of accidents to the domain of reason and of public opinion in Europe. On those higher grounds which influence, or ought to influence, a Christian people—on those lower grounds which specially affect the British taxpayer, it is, I think, our bounden duty to do all that in us lies to promote a peaceful settlement of the Venetian question, and to avert, if possible, the outbreak of another war in Italy. If war broke out in Italy, it would soon, I think, involve Europe. Europe narrowly escaped from it only a few weeks since; and I trust that Europe will take warning from the occurences at Sarnico and at Brescia. I will not pretend to penetrate the mystery of those occurrences; but if an attack on the Tyrol was intended, an attack on the Tyrol would have been an attack, not only on Austria, but on the territory of the Germanic Confederation. It would have given to Austria, at all events, a pretext for calling Germany to her aid. If Austria had marched to Milan—if Austria had reconquered Lombardy—France might have been drawn into the field to defend the results which were obtained by the victories of Magenta and Solferino, and Europe might have seen the legions of four Powers contending upon the plains of Lombardy. If the Continent were engaged in war, it might be difficult for England to keep clear of its entanglements; and even if England did keep clear of those entanglements, she would soon feel in the diminution of her exports, involving a large increase of local, and, perhaps, ultimately of imperial taxation, the pressure of the calamity which had occurred. Under these circumstances, the Government, I hope, will be able to tell us that they are seeking earnestly to arrive at a peaceful solution of the Venetian difficulty. I hope, too, that they will have the courage to lay boldly and unreservedly on the table of the House the information which they must have received with regard to the present state of the Venetian provinces—information which will enable Parliament to appreciate the existing danger in its full extent and bearing.

Sir, I will not detain the House with any lengthened remarks with reference to our present relations with Austria. Austria has long been one of the leading European Powers. The wishes and policy of England point, I think, with sufficient distinctness to this, that Austria, if she will but march with the age, ought to continue to be a leading Power, and an element for maintaining the balance of power in Europe. That policy, I think, was well expressed by the noble Lord at the head of the Government, in a speech made so far back as 1849. In that speech he referred to those considerations which ought to render the maintenance of the Austrian empire an object of solicitude to every English statesman. Again, Sir, I cannot forget that Austria is, as regards this country, a friendly Power; and not only is Austria a friendly Power, but Austria is the ancient ally of England. The noble Earl the Secretary of State for Foreign Affairs said, so recently as March in last year, that during many contests in Europe for two centuries past, we had often contended in the same cause, and against the preponderance of other Powers, with Austria. Well, but then, Sir, the alliance of Austria with England means, in these days especially, if it means anything, an alliance with the principles of justice—an alliance with the principles of liberty and progress. It means, at home more free institutions for Austria; and I rejoice to think that she is obtaining them. It means abroad, if not absolute free trade, a liberalized commercial policy. Apart from these, the alliance of Austria with England has no great moral or material significance.

Prince Napoleon, in his speech made in March of last year, spoke of the alliance between his country and England as being not an alliance with this or that minister, but with the great liberal English people. By that alliance, he said that France, though she might have to make concessions on secondary points, could defend the great principles of liberty and progress. Monsieur Billault said, in the same debate, that this alliance had already accomplished great things, and that still more remained to be done. Let us hope that Austrian statesmen will emulate these sentiments. If they do so, they will meet, I am persuaded, with a very cordial and hearty response here. England honours old alliances, but there are some things which England honours even more; and these are the principles of justice, the principles of liberty and progress applied in practice to the government of populations, whether they live beneath a native or an alien sway. I have alluded, and I am glad to have been able to allude, to the political changes which have taken place in Austria. Those changes cannot, I think, but tend to a greater community of political sentiments, and to greater harmony of political and commercial action between the Governments and the people of Austria and England. There cannot be a doubt that, in a commercial point of view, an alliance with a country like Austria, whose natural resources and producing powers are capable of large development, might, under a wise commercial system, be of great and growing importance to a country like England, which is the seat of a vast manufacturing industry. In the pathways of commercial reforms, indeed, Austria, as in the case of other reforms, moves slowly. Still Austria made some modifications in her prohibitive system in 1851. In that year, too—for I wish to be just to Austria even where Venice is concerned — she restored to Venice the privileges of a free port, of which Venice had been deprived on account of the part she had taken in the revolutionary movements of the preceding period. Austria took a further step in the right direction by concluding, in 1853, a commercial treaty with Prussia and the Zollverein. The changes it effected were productive of great benefit to Hungary, to Germany, and to Austria herself. As between the parties to the treaty, the duties, I believe, are generally three-fifths less than those which are levied on the productions of other countries. The more free access which English goods have obtained, and will obtain, to the Continent under the new commercial relations subsisting between England and France, combined with those which France is endeavouring to bring to completion with Prussia and the Zollverein, and the provisions of which will, it is said, be extended to England, will probably soon force Austria to modify still further her commercial system, or to sacrifice an even larger amount of customs revenue on English goods than she at present sacrifices to the smuggler. Every month's delay in the conclusion of the treaty between France and Prussia is, we are told, a source of positive loss to England, yet our old ally Austria is instigating the southern States of the Zollverein to oppose its conclusion. I hope, therefore, that the noble Lord at the head of the Government, will be able to tell us that the Government is directing its earnest attention to the extremely important subject of our commercial relations with Austria.

I pass now, Sir, from Austria in her relations with this country to Austria in her relations with Venetia; and the subject is, I feel, a delicate and painful one. But no regard for old alliances ought, I think, to make us blind to the necessity of examining with care a question which, disguise its real character as you may, is undoubtedly a question full of danger to the peace of Europe. On this ground, and on other and more special grounds, we are, I think, clearly entitled to consider it; and this too, without offence to Austria. Austria has more than once solicited our mediation in the affairs of Italy, and England was a party to the Treaty of Vienna. That treaty reassigned to Austria the Venetian Provinces, upon the implied promise, at all events, that those provinces should be equitably governed. England, therefore, is bound to feel a special interest in everything which affects the material and political welfare of the inhabitants of those provinces. Before I refer to the state of Venetia, I am anxious, if the House will kindly permit me, to say a few words on the difficulties with which Austria, it is said, has to contend in considering what I believe to be the only real and final solution of the Venetian question—I mean the cession of Venetia to the Italian kingdom. Those difficulties have, I think, been overstated. It is said, I know, by some, that Austria cannot give up Venetia; because, if she does, she must give up Trieste also. Now, although my sympathies are with Italy, I could not, if I thought that Trieste must follow the destiny of the Venetian Provinces, honestly stand up in my place and say that Austria ought to listen for a single moment to any proposals for a cession of Venetia to the Italian kingdom. But I cannot, I confess, see that the cession of Venetia involves the cession of Trieste also. It is true that in Trieste—drawn thither by commercial and other considerations—the Italian element preponderates. But in Trieste the Italian element is, at all events, the foreign element; it is the national element in Venetia. Again, Trieste, as a port, has greater natural advantages than the port of Venice, and it is of immense maritime and commercial importance to Austria. The shipping of Trieste, too, I am informed, comprised upwards of two-thirds of the entire shipping of Austria. Trieste, moreover, has been called the Hamburgh of Southern Germany, and it owes everything to Imperial favour. So far back as 1719 it was declared a free port by the Emperor Charles VI. It received important privileges from his daughter, that great Sovereign and virtuous woman the Empress Maria Theresa. Still later, in 1818, it acquired the title of "the most faithful city," and became a member of the Germanic Confederation. Again, thirty years later, in the time of the Italian and Hungarian revolutions, Trieste continued faithful to Austria, and it gave proofs of its Germanic predilections, if I remember rightly, by sending a representative to the German Parliament at Frankfort. For these reasons, Sir, I cannot see in this argument which relates to Trieste the force that some attribute to it. If I were an Austrian, I would not sacrifice a single shilling or a single man in order to maintain possession of Venetia, but I would sacrifice my last shilling and my last man rather than listen to any proposal for the cession of Trieste to the Italian kingdom. Then, again, it is urged by many that in a strategical point of view the possession of the Quadrilateral by Austria is necessary in order to enable her to defend the southern frontier of Germany. This point, with many others, has been ably, but not, I think, conclusively urged by Mr. Bonamy Price in his pamphlet on Venetia, to which Mr. Grenfell has published a pamphlet in reply. Without attempting to follow Mr. Price, I may say that his strategical arguments have, it seems to me, been answered by anticipation, by the Austrian Archduke Charles. The Archduke is a great military authority, and his principal work is published I believe, by the Government of Austria for the use of Austrian officers. A summary of the views of the Archduke has been so clearly and concisely given by Mr. R. Macdonnell, in an article in *Macmillan's Magazine* on "Venetia and the Peace of

Europe," that the House will, I hope, allow me to read the extract concerning it. It is as follows :—

> "In the introductory chapter of his *History of the Campaign of* 1799, the Archduke Charles enters into an elaborate consideration of the various possible theatres of war between France and Austria. He describes their geographical characters, and discusses at length the advantages and disadvantages to each of the belligerents presented by each scene of operations; and he comes to the conclusion that the valley of the Danube is the vital point in every war between France and Austria. He lays down distinctly that a march from Milan through Venetia upon Vienna is hopeless, so long as Austria holds the defiles of the Upper Danube; and he advises his countrymen, in every war with France, to devote, without hesitation, the bulk of their forces to the valley of the Danube. He refers to possible diversions on the side of Italy as little to be dreaded, and (what is not least important) he takes for granted that the advance of a French army on the Danube necessitates, as a matter of course, the evacuation by Austria of the Tyrol and of Northern Italy."

And, Sir, not only have we the authority of the Archduke Charles as to the true points of defence for Austria, but in February of last year the Prussian Chamber of Deputies decided on the Motion of Von Vincke, in opposition to Baron Schleinitz and the whole power of the Government, that it was not in the interest of Prussia or of Germany to place any obstacles in the way of the consolidation of the unity of Italy. That, at all events, was a strong expression of opinion on the part of a majority in the Prussian Chamber, that the Quadrilateral was not wanted for the defence of Germany. It was equivalent to an abandonment of Venetia. Let us hope, Sir, that it will pave the way for the recognition by Prussia of Victor Emmanuel as King of Italy. I am sure, Sir, that we are all delighted to hear that the Emperor of Russia has recognised Victor Emmanuel, and that such recognition has not been purchased by any unworthy compliances on the part of the Italian Government. Well, but then, Sir, if the Quadrilateral is not wanted for the defence of Germany in the hands of Austria, it will be looked upon as a menace to the new kingdom of Italy. And, Sir, this brings us to the real question, which is, "Can peace be maintained if Austria is to continue to occupy in the Quadrilateral a position menacing to Italy?" I believe, Sir, that it is absolutely impossible. I believe, too, that the character of Austrian rule in the Venetian provinces, and still more the proposed increase in a taxation already crushing, must tend inevitably to precipitate a crisis dangerous to Europe. The cries of suffering in Venetia become more audible; the sympathies of the party of action in Italy grow more impatient from day to day. Let us hope that peaceful means may be devised to avert a crisis, which the organs of opinion both in this and other countries assure us is impending.

Notice taken, that 40 Members were not present; House counted; and 40 Members not being present,

House adjourned at a quarter after Eight o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 14, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Thames Embankment.

2ª Summary Jurisdiction (Ireland); Mutual Surrender of Criminals (Denmark); Gunpowder Act Amendment; Inclosure.

3ª African Slave Trade Treaty; West India Incumbered Estates Acts Amendment.

JAMAICA.—RESOLUTION.

THE EARL OF DERBY, in rising to call the attention of the House to the Correspondence relative to the Debt due by the Island of Jamaica, said: My Lords, not very long ago your Lordships were amused, and almost as much scandalized as amused, by a Correspondence which was laid upon your table disclosing a very animated and very protracted controversy between two Departments of Her Majesty's Government, the result of which I think reflected no great credit on the way in which business was conducted by those Departments, and the result of which was, also, that a number of very gallant men had been for a very long time kept out of the receipt of what, according to at least one Member of the Cabinet, they are clearly entitled to. I am sure it will be in your Lordships' recollection that my noble and gallant Friend behind me (the Earl of Hardwicke) brought forward that question in the true spirit of a British seaman, and that he was supported by my noble and learned Friend (Lord Chelmsford), with that clearness of argument for which he is so invariably distinguished. And I am bound to add that the noble Duke at the head of the Admiralty, both in the correspondence and the debate, stood to his guns with an energy and determination worthy of the profession of which he has the honour to be the head. I must also do my noble Friend the President of the Council the justice to say that in the difficult position in which he was placed he displayed in an eminent degree that quality for which he is so distinguished and which we are told is "the better part of valour" by shielding himself under the plea of total ignorance, in abstaining from the difficult task of controverting the opinions of one of his colleagues and defending those of another. I must now, my Lords, claim your indulgence while I call your attention to a controversy which has arisen between one of the same delinquents—I mean Her Majesty's Treasury—and the noble Duke at the head of the Colonial Department, the result of which, although it has not, like the other correspondence, been the means of inflicting a great amount of private injury, has, for two or three years, been the cause of very great financial embarrassment to the Colony of Jamaica I think also, my Lords, that this correspondence discloses, to say the least, a very unusual mode of conducting business between two Departments; and I think your Lordships will agree with me, when you have heard some extracts which I shall feel it my duty to cite to you, that it is a correspondence which ought never to have taken place, and which, having taken place, never ought to have been submitted to Parliament. Why it has been so submitted I do not know. I do not know that it was ever moved for. I find that it has been presented to both Houses by command of Her Majesty, and I can only imagine one reason for its being presented, and that is that we might be amused by the spectacle of the noble Duke appealing to Parliament against the judgment of his colleagues. Before proceeding to speak of the correspondence itself, I will say a few words with respect to the circumstances out of which it arose. Long ago, in the year 1831, in consequence of the financial distress then existing in the Colony of Jamaica, a loan of £200,000 was granted to it from this country, which loan was to bear interest, and the whole amount, both principal and interest, was to be paid off in 1859. Up to 1847 the interest was punctually paid, and the debt itself had been reduced to £160,000. However, in consequence of the difficult position in which the colony was placed immediately after that year owing to the step taken by the Imperial Legislature of equalizing the duty on slave-grown sugar and that raised by free labour, the Government acquiesced in the non-payment of interest, and from 1847 to 1854 the subject was allowed to drop. In 1854 Sir George Grey, who was then Secretary of State for the Colonies, proposed an arrangement by which the whole of the interest was to be capitalized and the debt commuted into an annuity of 3¼ per cent for forty years, in which way the debt was to be extinguished. In the first instance Sir Henry Barkly, the Governor of Jamaica, was in favour of the scheme: but in 1855 Sir Henry wrote to the Colonial Secretary that he had submitted it to the Legislative Assembly, which did not approve of it; and that upon reflection, and having considered the financial difficulties in which the colony was placed, he had himself changed his opinion, and now thought the whole debt, principal and interest should be remitted altogether. He also forwarded a memorial to that effect, and expressed a hope that in any event no step would be taken to enforce the payment until after the period fixed by law for the liquidation—namely, in 1859, should have expired. The Governor's commmnication was addressed to Sir William Molesworth; but was received by my noble Friend (Lord Taunton) then Mr. Labouchere, who had succeeded Sir William as Colonial Secretary. It was received on the 3rd of October, 1855. My noble Friend's motto is—*Passibus citis, sed æquis;* but on this occasion, his conduct did not correspond with his motto; for it was not till five months had elapsed after he had received the memorial that he forwarded to the Treasury his reasons for not concurring in the arrangement suggested by the colony. But, on that occasion, he made another proposition—namely, that instead of requiring the payment of the interest to the home Government, it should be applied to the payment of the Governor's salary, and some other charges, which were previously paid out of the funds of the Imperial Government. I have said that my noble Friend was deliberate enough; but the Treasury were more deliberate still, for they never answered it at all, or even referred to it for three years afterwards. I presume that no answer was sent to the memorial by the Colonial Office, and the result was that the colony continued not to pay interest; and so matters remained as they were until 1859, which was the year fixed for ultimate payment of principal and interest. The Public Works Loan Office then made an application to the Treasury, and the Treasury, on the 13th July, 1859, wrote to the Colonial Office; and, just as if they were answering a letter received a week before, they commence, "With reference to your letter of the 7th March, 1856." They then state that they have taken into consideration recommendations made to them, and they were of opinion that some steps should be taken, and that it should be for the consideration of the Secretary of State whether the terms proposed in their Lordships' letter of the 4th October, 1854, should not be again brought under the consideration of the Legislative Council of Jamaica. In consequence of that letter the noble Duke transmitted to the Governor of Jamaica the whole correspondence, including the proposition made by Mr. Labouchere in 1856, and called upon the Governor to report to him what, in his opinion, was the best method of bringing about an adjustment of the debt. I must fairly admit that in the steps which he took in consequence of this letter the Governor exceeded the instructions which he had received from the Colonial Office; because, instead of reporting to the noble Duke what would be the best means of adjustment, he proceeded to act upon the plan suggested by Mr. Secretary Labouchere and forwarded by the noble Duke, and laid that plan before the colonial Legislature, by whom it was at once accepted, and a Bill in conformity with it was passed. The Governor afterwards assigned reasons more or less satisfactory for the adoption of this course; but the result was that the Bill was transmitted to this country, and on the 9th of March, 1860, the noble Duke transmitted it for the consideration of the Lords Commissioners of the Treasury, stating that it was passed—

> "In conformity with the instructions contained in His Grace's despatch of the 18th of August last, a copy of which was transmitted to you in my letter of the same date; and under the circumstances of the case he would recommend the confirmation of the Act."

The Treasury were again somewhat deliberate, for in answer to the letter of the 9th of March they wrote on the 21st of July a letter dated from the Treasury Chamber to the Colonial Office, in which they say—

> "As the terms which were submitted to this Board by Mr. Secretary Labouchere, in March 1856, upon which Her Majesty's Government would be prepared to consent to a remission of the debt due from Jamaica on account of the loan advanced under the Act 2 & 3 *Will.* IV., c. 125, have now been offered by the Legislature of the colony, my Lords will not object to the adoption, at the present time, of the principle involved therein—namely, the appropriation from the local revenue of Jamaica of a perpetual annuity payable to the Crown, but to be applied under the authority of the Crown towards the public uses of the colony."

The Earl of Derby

They notice that the amount of the annuity is not that which they were prepared to expect, but they go on to say that—

> "If the Secretary of State is of opinion that Her Majesty's Government should consent to this further remission, ... their Lordships will not object to the maintenance of the assurance which has been given by the Governor to the Colonial Legislature, that the arrangement under which a portion of his salary is at present paid by this country should continue till July, 1863."

The noble Duke accompanied the Bill with a report of the legal adviser of the Colonial Office, in which he states that the subjects to be considered by the Treasury were—whether the arrangement of 1856 should be sanctioned; whether the proposed remission of interest should include all up to the date of that letter, or only that due in 1856; and whether the understanding that the Governor's salary should remain chargeable on the British Treasury until July, 1863, should be recognised. On these three questions the Treasury submitted—"whether the permanent charge of £6,400 per annum is imperilled by the provision which enables the Governor, by the advice of his Council, to fix the amount," and "whether it is correct that the Colonial Legislature should declare itself discharged on certain conditions from a debt to the British Treasury." With regard to the first of these last two questions their Lordships desired that the opinion of the legal adviser of the Colonial Office should be taken, and his opinion was that the money would be in no degree imperilled by the provision referred to. With regard to the discharge of the colonial Legislature, their Lordships apprehended "that the Act of Parliament which it will be necessary to obtain will contain sufficient authority to effect that object." Although this is not a very gracious acceptance, yet I think your Lordships will all be of opinion that it is substantially an acceptance by the Treasury, subject to the reconsideration of the Secretary of State; and that it was clearly intended to bring into Parliament a Bill to enable the colonial Legislature to relieve itself from the payment of the debt. So it was understood at the Colonial Office; and while Sir George Lewis was acting for the noble Duke, an application was made to know whether the salary of an Adjutant General of Militia might be charged upon the funds to be raised under the Bill so sanctioned. Sir George Lewis replied that no permanent salary could be charged upon those funds. But when the noble Duke returned, he stated that if the Government was only to grant a sum from year to year there was no objection to such an application of the funds. There was then another important question for the consideration of the Government. At that time a census was about to be taken in the island of Jamaica, and on the 22nd of September the Governor inquired whether he might charge the expense of that very important undertaking to the funds which would arise under the Act. The noble Duke gave his consent to that application of the funds, and the expenses of the census were so charged, and the Act charging them received the Queen's assent, and became law. This being the state of the case, on the 21st of December, 1860, the Governor calls the attention of the noble Duke to the fact that "the annuity being about to be applied to the charges of the census, which is to be taken this year, it becomes important that Her Majesty's gracious decision upon the Act should now be communicated at as early a date as may be found convenient." Accordingly, on the 30th of January, the noble Duke writes to the Treasury, enclosing this despatch, and representing the necessity of immediate steps being taken for the passing of the Act sanctioning that of the local legislature, the Royal Assent to which was waiting for the passing of such a confirmatory Act by the Imperial Legislature. But, instead of immediate steps being taken for passing an Act confirming an Act of the local Legislature, under which a heavy expense had been incurred under the presumed authority of an Act of Parliament, will your Lordships believe that no notice was taken of that letter by the Treasury? Consequently, the Under Secretary of the Colonial Office wrote to the Treasury on the 19th July, 1861—

"I am directed by the Duke of Newcastle to request that you will have the goodness to bring again under the consideration of the Lords Commissioners of the Treasury the letter from this Department of the 30th of January last, enclosing copy of a despatch from the Governor of Jamaica, pressing for the confirmation of the Jamaica Act, No. 4,312, which contained terms for the adjustment of the debt of the island to the British Government. Mr. Hamilton's letter of the 21st of July, 1860, was understood in this Department to convey substantially their Lordships' assent to those terms, and their intention to apply to Parliament for an Act which would discharge the Colonial Legislature, in pursuance of that arrangement, from the debt due to the British Treasury, and so enable the Secretary of State to advise the confirmation by the Crown of the Colonial Act."

The letter then suggests various reasons why the reply to the previous letter may have been delayed, and goes on to express a hope that—

"Their Lordships will not hesitate to carry into effect the very liberal, but, in his view, the thoroughly defensible and judicious arrangement which was suggested to the Governor by the despatch of August, 1859, accepted by the colony as embodied in the Jamaica Act, and substantially assented to by their Lordships in July, 1860, and that they may be able to carry a short Bill through Parliament before the close of the present Session for this purpose."

In the mean time, or shortly afterwards, the Governor, in a difficulty as to how he should deal with the debts which were coming upon him, asked for the sanction of the Treasury to advance a sum out of the military chest upon the faith of the sums which were in hand and ready to be made over when the Act should receive the Royal assent. On the 9th of September, 1861, the Secretary of the Treasury writes to say that—"My Lords cannot consent to allow the expenses referred to to be advanced from the Treasury chest." Then follows a letter the like of which I venture to say was never before received by a Secretary of State from a subordinate official. I speak in the presence of several noble Lords who have held that office themselves, and I am sure there is not one of them who would not have felt as I should have felt myself if I had received, as Secretary of State, such a letter from the Secretary of the Treasury. Your Lordships must bear in mind that the Bill had been substantially assented to for a period of nearly two years, and that, under that substantial and implied assent, heavy charges had been incurred. On the 9th of September, 1861—the Treasury having abstained from paying any attention to the noble Duke's repeated request that they would not object to the adoption of Mr. Labouchere's proposal for the settlement of the debt—Mr. Frederick Peel thought it fit and necessary to write to the Secretary of State that—

"My Lords, by their letter of July, 1860, informed the Secretary of State that they would not, under the circumstances, object to the adoption of the principle of Mr. Labouchere's proposal for the settlement of the debt. . . . My Lords, however, have now to state that the subject generally of the foregoing recapitulation has appeared to them to require further consideration."

Considering how long an interval had elapsed since the Treasury had given their assent to the proposition, it was really trifling with the public business to say that further consideration was necessary. Mr. Frederick Peel adds—

"The plan on which the Act is founded is essentially different from that to which my Lords gave their assent in 1854, and the adoption of which they again recommended in 1859. . . . That Act is open to the objection of assuming to dispose of the money of the Imperial Government, and it is clear to my Lords that, except with the express previous sanction of Parliament, such legislation should not proceed."

Why had not such sanction been obtained? They allowed the whole of the Session to pass, and yet they took no step to remedy a public inconvenience. And then comes a passage such as is not often addressed by a subordinate to a Secretary of State. It is quite right that the Treasury should exercise due and fitting control over the other Departments of the State; but the decision of the Treasury on any question ought surely to be conveyed to another branch of the service in a tone of courtesy, or, at least, in terms of ordinary civility. This letter, however, from which I am quoting is not the letter of a statesman, and hardly the letter of a gentleman. It is certainly not couched in the language I should have expected that any officer of the Government would have deemed it proper to address to one occupying the high position of the noble Duke. The passage is as follows:—

"The arrangement is not in itself, in the opinion of my Lords, of so good and defensible a character as the Duke of Newcastle considers it to be."

My Lords, is that language which ought to be addressed to a Secretary of State with respect to his public acts by a Secretary of the Treasury?

"Looking, however, to the letter of this Board, of the 21st of July, 1860, my Lords do not desire to re-open this part of the question, but they are strongly of opinion than an Act of the Imperial Parliament should precede, and not follow, the legislation of the colony. They would suggest, therefore, that the present Act should remain inoperative, and that the assent of the Crown be withheld from it; and that next Session a Bill should be introduced into Parliament empowering the Legislature of Jamaica to pass an Act in Conformity with the plan of settlement suggested by Mr. Labouchere in 1856, and enacting that it shall be lawful for the Treasury to accept such an Act as an arrangement by way of satisfaction for the debt."

Was there ever such gratuitous pedantry? After the assent of the Treasury had practically been given for a year and a half, they suggest that the Bill, founded on that assent should be nullified, and that the transaction should be recommenced by a Bill to be now introduced in the Imperial Parliament. The noble Duke, smarting, I suppose, under the unusual infliction of such a letter of such a letter as this, certainly did not conceal his mortification and annoyance. On the 1st of October he wrote to Governor Darling a despatch of a rather unusual character—

"On the receipt of your despatch No. 159, of the 21st of December, 1860, urging the confirmation of the Jamaica Act No. 4,312, I caused a copy of it to be forwarded to the Lords Commissioners of the Treasury, in the letter of which a copy is enclosed. No answer having been received to that letter in the course of the following six months, the letter of the 19th of July, of which a copy is annexed, was addressed to their Lordships, recalling the subject to their attention, and conveying my request that a Bill should be carried through Parliament for the purpose of giving validity to the arrangement under which Jamaica was to be relieved from her debt to this country. Previously to the receipt of an answer to the above letter your further despatches, No. 106, of the 6th of July, and separate of the 8th of July, were received, and were transmitted to the Treasury in the letter of the 21st of August, of which a copy is also enclosed. The letters of the 9th of September, copies of which I now forward to you, contain their Lordships decision, both upon the Act No. 4,312, and upon the subject of the funds to be provided for payment of the expenses of the census and other charges in the colony referred to in your despatches of the 6th and 8th of July. In communicating to you this decision, I have to express to you my deep regret, in the first place, at the delay which has occurred, and which I wish it had been in my power to obviate; and in the second, at my inability to help you through your present embarrassment."

I perfectly sympathize with the feelings of the noble Duke under the circumstances; but still I must say that, even under the intense provocation he had received, such a despatch to the Governor of a colony, and intended to be subsequently laid before Parliament, was a deviation from the usual course of communication between different Departments. The Governor of Jamaica, finding it absolutely necessary to meet the expenditure which had been sanctioned by Her Majesty's Government, called on the local Legislature to pass an Act making an advance of £11,200 out of the island funds. The preamble of the Bill recites—

"Whereas the sum of £11,200 stands accrued as of the 30th day of September last, to be applied in liquidation of the debt due to the Imperial Government of £243,541, or thereabouts, as provided by the Act of the 23 Victoria, chap. 26, as soon as an Act of the Imperial Parliament shall be passed, authorizing the arrangements made under the said Act of the 23 Victoria, chap. 26, with Her Majesty's Government; And whereas Her Majesty's Government have signified their intention to apply to Parliament for the necessary powers to carry out the said arrangements; And whereas under the Act of the 24 Victoria, chap. 1, which Act has obtained the Royal assent, liabilities have been incurred for taking a census of the inhabitants of this island, which are provided to be paid out of the said monies so accrued as aforesaid, but for which payment no sufficient authority as yet exists."

And then it goes on to authorize the Governor by his warrant to appropriate the £11,200 before mentioned as an advance on account of the debt due to the Imperial Government. A more reasonable proposition I cannot imagine. This Act is sent over to the Colonial Office, and the noble Duke, in transmitting the Governor's letter to the Treasury on the 30th of January, 1862—as it happens, on the anniversary of his previous application—directs the Secretary to say—

"I am to add that the Duke of Newcastle will be glad to receive at your early convenience a draught of the Bill which their Lordships propose to introduce. With reference to the concluding paragraph of your letter of the 9th of September, I am to observe that it would hasten the conclusion of this long-pending affair, if, instead of requiring fresh legislation in the colony, it were possible for Her Majesty's Government to avail themselves of the Act already passed by the Legislature of Jamaica, and waiting Her Majesty's assent, in aid of the proposed Act of Parliament; and I am to point out that the Act as it stands does not place any other restriction on the expenditure of the money than by requiring that the details of the expenditure be communicated to the Jamaica Assembly."

The noble Duke's previous communications had not hitherto met with much favour from the Treasury, and there is in this instance no exception to the rule. On February 6th, Mr. Frederick Peel writes—

"I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Duke of Newcastle, that my Lords feel so strongly the necessity of submitting the whole scheme connected with the Jamaica debt for the consideration and sanction of Parliament, previously to consenting to any anticipation of funds contingent on such sanction, that they are not prepared to recommend his Grace to submit the Bill enclosed in the Governor's despatch above referred to (if it shall subsequently be received as an Act) for confirmation by Her Majesty; neither are my Lords prepared to adopt the suggestion made by his Grace for dispensing with fresh legislation in the colony in regard to the debt, and adopting instead the Act passed by the Jamaica Legislature on 28th December, 1859, but from which the assent of the Crown has been withheld. My Lords will shortly furnish the Duke of Newcastle with the draught of a Bill to be introduced into the ensuing Session of Parliament, for giving effect to the plan of settlement submitted to this Board by Mr. Labouchere in 1856. This Bill will provide the necessary powers for enabling the Colonial Legislature to perform their part in the suggested arrangement."

I think that the tone of this communication, considering whence it proceeds and for whom it is intended, is, to say the least, rather odd. In the mean time, the unfortunate Governor of Jamaica transmits a statement of the warrants which he had issued against the sum of £11,200, amounting to £8,821 19*s.* 4*d.*, and opposite to each item appends the number and date of the despatch from the Secretary of State which constitutes the authority for the issue, but which the Treasury has intimated is not worth one halfpenny. The correspondence is closed by a couple of formal letters from the noble Duke forwarding to the Treasury copies of the despatches of the Governor and the Act of the local Legislature of Jamaica. I think it is necessary to call the attention of your Lordships to the system or want of system in carrying on the public business which this correspondence discloses, and which must inflict much injury on the public service. Of course differences of opinion will occasionally arise between Departments; but, as far as my experience goes, it is usual to try and arrange such differences by a personal interview and explanation before a public despatch is written. In the event of an objection being found insuperable, the practice is then to appeal to the head of the Government. It is because I believe the very different course which has been followed in this instance to be of a novel and unusual character that I feel it right to call attention to this second instance of want of agreement between two Departments of the State. To put myself in order, I shall move the following Resolution:—

"That, in the opinion of this House, it is expedient to put an end by immediate legislation to the financial embarrassment caused in the island of Jamaica by conflicting decisions of the Commissioners of the Treasury and the Secretary of State."

I believe I shall be told that a Bill has just been introduced into the other House on the subject. I will not say *propter hoc quia post hoc*, but it is a little remarkable that my notice to call attention to the subject was given on the 3rd of July, and leave was given to introduce the Bill on the 4th of July. I hope that the noble Duke who has been so long and unsuccessfully trying to persuade his colleagues not to take a retrograde step, and not to thwart him in the matter—if he does not feel any gratitude to me—will at least excuse me for having obtained that which was refused to his remonstrances so long. It will be for the Government to explain why it is that the Bill now introduced was not introduced a year and a half ago. The colony has been put to needless confusion and embarrassment in consequence of the unseemly wrangling between two Departments. I have thought it my duty to bring the subject before your Lordships, and I hope that the future correspondence will be of a different character. It is hardly necessary for me to say, that inasmuch as a Bill has at last been introduced, I do not desire to do more than to record my opinion of the inconvenience which has been produced in this matter. The noble Earl concluded by *moving*—

To resolve, That it is expedient to put an End by immediate Legislation to the financial Embarrassment which has been caused to the Island of Jamaica, by the conflicting Decisions of the Treasury and the Secretary of State.

Earl GRANVILLE: My Lords, I have no wish to complain of the noble Earl having brought this subject before your Lordships, even if he had known that a Bill had been introduced into the other House, and was likely to come before your Lordships. The course he has taken is, of course, perfectly Parliamentary. The noble Earl complains of these papers being published. I certainly agree with the noble Earl, that in the exercise of that particular quality for which he was kind enough to give me credit—discretion—it might have been better if all correspondence of this sort were suppressed. Correspondence of this sort between two different Departments, starting from different points, and presenting naturally a diversity of views and sentiments, is very likely to afford matter for those who wish to attack the Government in a lively speech, and those who have to defend the Government might very naturally wish that it had never been published. Still, perhaps, there is no reason why a Member of either House of Parliament should complain of the Government for affording full information with regard to a Bill they are about to introduce. The noble Earl also went on to point out that great delay had occurred from these differences between the Departments. I admit that considerable delay has occurred; but this delay has been occasioned in a great degree by changes in the heads of the Departments. I believe, however, that there is a great advantage in these changes—they are a check upon that system of bureaucracy which prevails in other countries. But, at the same time, it is clear that when a correspondence is spread over a great many years, and a great many different persons have had the superintendence of it during those years, some inconsistencies will not improbably occur in it which would have been prevented had the whole correspondence been conducted under the direction of a single mind. During the time this correspondence has been going on, there have been three Chancellors of the Exchequer, four or five Secretaries of State for the Colonies, and four Secretaries of the Treasury. I know that there has been great delay, but I am not sure that the greatest possible expedition is desirable when money is owing to the Imperial Government, and the colony, either reasonably or unreasonably, desires to repudiate or to make a compromise. Some amount of delay and difficulty in such matters is not altogether an unmixed evil. It is remarkable that the noble Earl himself was in office during part of the time over which this correspondence spread, and that his Government appear not have taken a single step in the matter.

The Earl of DERBY said, that between 1856 and 1859, when he was in office, the matter, by previous arrangement, had been allowed to drop until 1859, when the last payment became due.

Earl GRANVILLE: Of course, if a Government remains in for a year and a half, and neglects to do anything whatever in the matter, it is very easy to avoid the reproach of there being no conflict of opinion between the Departments of that Government. Still, the fact remains. It so happens that Mr. Gladstone, who has been so pointedly attacked by the noble Earl in the first month that he took office, immediately recommenced a correspondence for the settlement of the question.

The Earl of DERBY: I never referred to Mr. Gladstone at all.

Earl GRANVILLE: When your Lordships read the accurate report, which, no doubt, will appear in the journals to-morrow morning, I shall be very much surprised if you do not find that the noble Lord did make an attack on my right hon. Friend; but, of course, if the noble Earl disclaims any intention of the sort, I entirely waive any argument on the subject. No doubt, on several points there have been errors. There was a great error, I believe, committed some years ago by the Treasury in not taking any notice of the despatch which was written by my noble Friend behind me (Lord Taunton). That was a mistake which governed much which followed. Other mistakes also have been made on several points. I think it the duty of the head of one Department to afford the Governor of a dependency all the information in his power, although he has not the consent of the Treasury to it, and I think nothing can be more unfair than to complain of a person in a distant dependency acting on his own judgment. But my noble Friend the noble Duke has not thought it right to act on the recommendation of the Governor; and considering the reasons he has given, I think he ought not to be blamed for the course he has taken. No doubt, the communications between Departments ought to be carried on with great courtesy; but there is great advantage to the public service in having free and open discussion between them. In Swift's advice to servants, each one is told to look on the whole income of the household as belonging to his own particular department; and no doubt the officers of the Departments of the State feel something of the same kind of interest in a political point of view in their particular Departments, but it is the especial duty of the Treasury to check the expenditure of the other Departments. As a matter of fact, the Treasury and the Colonial Office are agreed that in the present state of the colony it is impossible to exact the whole of the debt, and my noble Friend is in error in supposing that notice of the introduction of a Bill upon the subject has been given in consequence of his notice. Both Departments are agreed to some compromise, and the Bill has been prepared for some time. The Treasury have been more punctilious as to the terms than the Colonial Office; but the colony has gained by the delay, and I trust that when the Bill comes up to this House, your Lordships will give your assent to it.

Lord TAUNTON said, he had read this correspondence with very great concern, and it was with equal surprise and regret that he found that a question which came under his notice seven years ago, when he was at the Colonial Office, and which, for the sake of the colony, ought to have been speedily and satisfactorily settled, had not yet been disposed of by the Government. He did not say that the question was one upon which there might not fairly be a difference of opinion; but it was a simple question, and in justice to the colony some decision ought to have been arrived at some months ago and communicated to the Colonial Government. The noble Earl opposite (the Earl of Derby) said that he (Lord Taunton) was five months in office before he took notice of the subject. In that the noble Earl was mistaken—he had only been three months in office before he wrote the despatch, and at the very beginning of the Session he wrote to the Treasury on the subject. The noble Earl was in office a year and a half, and he took no action of any sort or kind, but let the whole matter go to sleep. The reason assigned was, that the Governor impressed upon the Colonial Office the necessity of not moving until 1859; but all that the Governor said was, that if the Colonial Office were determined to exact the debt, it would be very embarrassing to do so before 1859. He could not, therefore, acquit the noble Earl and his Government of having gone to sleep without any justification. The noble Earl had referred to his motto; but really the noble Earl's conduct was in perfect harmony with the noble Earl's ancient cognizance — *Sans changer.* Although, no doubt, there was great force in the statements of the noble Earl as to the evils of procrastination, he did not think the censure for the delay came with a good grace from his noble Friend. He believed that a great deal of the misfortunes of Jamaica arose from its vicious constitution. The Legislative Assembly was affected by almost every possible vice which could be developed in such a body. One capital defect was, that any member could move money votes without the authority of the executive Government, could appropriate and expend them without any efficient control or audit. The consequence was, that the members voted money, spent money, audited their own accounts, and did everything, either by themselves or by standing committees appointed to act during the recess. The natural consequence was, that the finances of the colony were thrown into utter and irreparable confusion. If negro emancipation had been comparatively successful in many colonies, and had signally failed in Jamaica, it was owing partly, no doubt, to natural causes, but much more to their own vicious system of legislation. At last, instigated by bad advice from this side, they thought they could change the commercial policy of this country in regard to the equalization of the sugar duties by stopping the supplies. Of course, this was a mere delusion ; but they made the evil so great that a remedy was required, and the forms of the Constitution were altered so as to take away that mischievous power of members to propose money votes. It was just afterwards that Sir Henry Barkly made the proposition upon which he (Lord Taunton) had to decide. The Governor asked for an unconditional remission of the loan ; but he thought some conditions should be made to secure the independence of the Governor. He recommended a scheme for adoption, and it was lamentable to think that the matter had been so long pending between the Treasury and the Colonial Office. He very much doubted the expediency, however, of laying before Parliament this correspondence between different Departments. It was quite right that everything should be on record ; but it could not be expected that officers of the Government would express their opinions freely if they found it was likely their correspondence with their colleagues would be published and laid before Parliament. Some discretion should be exercised in laying before Parliament such correspondence. He had always held that the Treasury should exercise a strong hand over the expenditure of the other Departments, and, having the control of the public purse, should retain the chief supervision in these matters. If the Treasury had decided here that the debt should not be remitted, though he should have deemed it impolitic, it would have been for the Secretary of State to have forwarded that decision to the colony ; and it would have been unseemly had any conflict of opinion between the Departments appeared upon the face of his despatch. But the Government should be careful how it lent money to the colonies. Money relations between the two were not at all likely to tend to amicable relations, and Shakspeare's advice was quite applicable here—

> "Neither a lender nor a borrower be,
> For loan oft loses both itself and friend."

He could not help thinking that seven years of delay were a most unconscionable period to wait for a decision of this question. The Treasury should recollect, that though, on the one hand, they had a right to insist on controlling other Departments of the Government upon questions of expenditure, yet those Departments had a right to expect that there should be no such procrastination as had taken place here. Our system of Government could only be worked smoothly upon two conditions—first, that the Treasury should exercise an effective control over the public purse as against the other Departments ; but, secondly, that the Treasury should not consider themselves only a mere money Department, but that where important questions of executive administration were concerned there should be no delay in the decisions at which they arrived.

Earl GREY : I agree generally in the opinions just expressed by my noble Friend (Lord Taunton), I think it a great mistake to speak of the different Members of different Departments of the Government as having any independent authority whatever. Hitherto, we have been accustomed to speak of the Queen's Government. The Secretaries of State, the Lords Commissioners of the Treasury, and the Lords of the Admiralty, are but the servants of Her Majesty ; and hitherto it has been considered the correct practice in this country that the Queen's Government as a whole should decide upon important questions ; and when differences of opinion between the Departments existed, they have never been allowed to appear, as has recently been the case. No doubt my noble Friend the President of the Council is right in saying that there ought to be free discussion between the Departments, and that there must often be a difference of opinion between them. But there is a mode of settling these differences. If the matter is one of importance, the Secretary of State may refer it to the First Lord of the Treasury ; and if his decision is not satisfactory, he may refer the matter to the Cabinet. When the Cabinet has decided, if the Secretary of State thinks that his colleagues are wrong, but not so overwhelmingly wrong as to warrant his standing upon his own opinion—in which case he will resign—it is his duty to signify to the Governor of the colony the final decision of the Queen's Government, and not to weaken the decision by implying in his despatch any doubt as to the grounds and the propriety of the decision. That is the principle which has always hitherto been adopted in this country, and our whole system of government must be involved in inextricable confusion if we are to have each head of the Departments throw off responsibility from himself, and not considering what is the right course for the Government to pursue as a whole. That is the objection which I take to the course pursued in this instance, and in the case of the Kertch prize money. The Queen's Government must be considered as a whole, and should be responsible as a whole; it should not be divided against itself in this way, or show such a want of firmness and consistency.

THE EARL OF CARNARVON said, that the late Government had been taunted with having allowed these papers to remain undealt with and the question unsettled during their term of office. But the answer to this was to be found in the first despatch of Sir Henry Barkly, who said—

> "In conclusion, I venture respectfully to express a hope that in the event of compliance with the prayer of the memorial now sent being deemed impolitic, no steps for the recovery of the money calculated to revive past animosities or create fresh hostility will be taken until at least the furthest period allowed by law (1859) for the repayment of the principal and interest has expired, and the best chance been thus afforded of the restoration of Jamaica to a state of comparative quietude and prosperity."

The question was therefore allowed to sleep, on the understanding of all parties that the term when this money should be repaid had not arrived. He read every paper of importance that came to the Colonial Office while he was Under Secretary of State, and he was certain that no despatch or letter on this subject had been received during that time. Then, two months after his noble Friend (the Earl of Derby) had resigned office, there was a letter from the Colonial Office to the Treasury, in which it was suggested that their Lordships would refrain from pressing the matter at present. He thought, therefore, that the late Government were absolved from all responsibility in the matter, as they left office before this term had expired.

THE DUKE OF NEWCASTLE: My Lords, it is impossible to listen to what falls from the noble Earl (Earl Grey) upon any matter connected with the Government of this country, and more especially relating to the government of the colonies, without great respect and deference. I cannot help thinking, however, that his very beautiful theory may be carried to a very impracticable result. He says that the various Departments are branches of one Government, and that everything goes out to the Colonies in the name of the Queen's Government. That is true to a certain extent and in point of form; but if the noble Earl's dogma were carried to its legitimate result, and if every matter under the consideration of the various Departments came before the Cabinet, the whole business of the country would come to a dead-lock. What is practically the case is that every Department, unless some difficulty arises, transacts its ordinary and current business without reference to any other Department, and that the Treasury exercises, by the constitution of this country, an entire control over the expenditure of the public money. Does the noble Earl mean to say that the Treasury does not, both theoretically and really, exercise that control? Why, the noble Earl cannot take up a single volume of the statutes — he can scarcely turn over a single page—without finding the Lords Commissioners of the Treasury, and not the Queen's Government, as the Department specially responsible for the control of the public money. The noble Earl's theory never has been carried out, and never will. It is no doubt true, as he says, that if a dispute arises between two Departments, and they cannot agree, the matter is referred to the Prime Minister in the first instance, and, if necessary, then to the Cabinet. But when the noble Earl charges me with a desire to evade the responsibility that belonged to my office, I may remind him that no such charge was made by the noble Earl opposite (the Earl of Derby), and that no such charge can be substantiated by the papers. I took the full responsibility of the measure that had been prepared four years before I took office by my noble Friend (Lord Taunton) and I adopted that measure. But when the noble Earl (Earl Grey) says the differences that arose ought to have been referred, first to the Prime Minister, and then to the Cabinet, I must remind him that there was no difference of opinion as to the practical measures to be adopted. The Treasury agreed with the Colonial Office as to what ought to be done, and what had I therefore to refer to the Prime Minister or the Cabinet? I thought it my duty to press the Treasury to carry out what had been agreed on. If there had been anything to refer to the Prime Minister or the Cabinet, that reference I should undoubtedly have made. The charges made by the noble Earl (the Earl of Derby) are twofold; first, that the correspondence shows a difference of opinion in the Departments concerned; and next, that there was delay in carrying the necessary measures into effect. The first charge has been completely answered by my noble Friend the President of the Council. With regard to the delay, it is unfair to charge the whole of this delay upon the present Board of Treasury because the blame, if any, must be shared by every Treasury for the last seven years. I defy the noble Earl to read two pages of the despatches without seeing that it was the anxious desire of Sir Henry Barkly to obtain as early and as decisive a settlement of this question as possible. He only added—what it was natural for him to say—that if the Government differed from him, he trusted they would postpone that decision—which would otherwise put a stop to various reforms which were going on in the colony under the Act of 1854—until the year 1859, when it was necessary the decision of the Government should be signified. My noble Friend (the Earl of Carnarvon) says he read every paper of importance that came to the Colonial Office, and that none reached the office on this subject while he was there. No doubt that was true; but the despatch in question was written by Mr. Merivale, under the direction of my noble Friend (Lord Taunton) in 1856. My noble Friend sent the despatch of Sir Henry Barkly to the Treasury, which never answered it. Is my noble Friend prepared to tell me that the Treasury of the Government of which he (the Earl of Carnarvon) was a Member was not responsible in part for the abeyance in which this matter was allowed to remain for three years? Exactly half the delay that arose is attributable to another Treasury than the present. It is therefore impossible for my noble Friend opposite to exonerate himself and the Government of which he was a Member from all share in this blame. I will not enter into a discussion on the merits of the measure now before the House of Commons, but I can assure the noble Earl (the Earl of Derby) that the introduction of that Bill in the other House had no reference to the notice that he gave. I suppose the noble Earl has made himself acquainted with the dates, but I should have said the Bill was introduced the day before, and not the day after he gave his notice. [The Earl of DERBY: No.] But, however that may be, the Bill had been a long time prepared, and its introduction was only delayed until the papers could be presented to the other House. There was, I can assure him, no connection whatever between the two events. The Bill will come up to your Lordships' House in due course, and it will then be my duty to give a history of these transactions. One observation made by my noble Friend (Lord Taunton) it may be desirable now to notice. My noble Friend advised the Government to be as sparing as possible in granting loans to the colonies. I think that the Government will do well to be sparing both in loans and guarantees to the colonies; but my noble Friend is not quite accurate if he charges the colonies with any tendency to repudiate their loans. There are a variety of loans to the colonies; but this is the only colonial loan, with one trifling exception, the interest upon which is not paid half-yearly with as much punctuality as the interest upon the English funds themselves. As to the loan of 1854 to the island of Jamaica, it was part of the arrangement that a loan of £500,000 should be made, in order that a new representative system should be introduced into that colony. I shall, with your Lordships' permission, reserve any further observations on this subject until it is my duty to move the second reading of the Bill now before the other House of Parliament.

Earl GREY wished to explain that he had never denied that the Treasury ought to exercise a control over the public expenditure. What he said was, that when the Secretary communicated its decisions to a Colonial Governor it acted for the whole Government. A communication to the Governor of a colony signified the Queen's pleasure; and it was not right for a colonial Minister to say, as the noble Duke had in effect done, that he was sorry for the colony, but that he could not obtain from the Treasury what he thought the colony had a right to have.

The Earl of DERBY in reply said, he should be sorry if he had committed any injustice to the noble Duke (the Duke of Newcastle), in regard to the period that had elapsed between the first message of the Governor and the communication with the Treasury. He would admit that the noble Duke did not succeed to the office of Secretary of State until a considerable portion of the five months in question had elapsed. With regard to the charge, or rather the counter-charge, against his (the Earl of Derby's) Government of being parties to the delay, the noble Duke was strangely in error if he thought that it was the duty of a Government to look back and see whether there was any letter on any subject whatever which might have remained for years unanswered, and that the responsibility of any delay rested with the Treasury if they did not take that step. The Correspondence dropped over a period from 1856 to 1858, and the subject had never been brought before Parliament during that period. His complaint as to delay did not refer to the delay in adopting the plan suggested by his noble Friend (Lord Taunton) in 1856. What he complained of was, that after that plan had been adopted, and after the colony had been led to believe that the question was settled, the period from 1860 to 1862 was allowed to elapse without the necessary steps being taken to give effect to what had already been relied on by the Government. He did not wish to protract the discussion, and as—whether in consequence of his notice or otherwise—there was now laid on the table of the House a Bill relating to this subject, his Motion had become unnecessary, and he therefore asked leave to withdraw it.

Motion (by leave of the House) *withdrawn.*

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL.

[BILL NO. 111.] COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 32 *agreed to*, with Amendments.

LORD KINGSDOWN *moved* to insert the following clause:—

> "In every Case of Collision between Two Ships it shall be the Duty of the Person in charge of each Ship, if and so far as he can do so without Danger to his own Ship and Crew, to render to the other Ship, her Master, Crew, and Passengers (if any), such Assistance as may be practicable and as may be necessary in order to save them from any Danger caused by the Collision.
>
> "In case he fails so to do, and no reasonable Excuse for such Failure is shown, the Collision shall, in the Absence of Proof to the contrary, be deemed to have been caused by his wrongful Act, Neglect, or Default."

LORD STANLEY OF ALDERLEY had no objection to the first part of the clause; but could not agree to the last section of it.

THE LORD CHANCELLOR hoped his noble and learned Friend would not press the last paragraph of the clause.

LORD KINGSDOWN said, he was willing to omit the last part of the clause.

Clause, as amended, *agreed to.*

Clauses 33 to 52 *agreed to,* with Amendments.

Clause 53 (Shipowners' Liability limited).

THE EARL OF DONOUGHMORE *moved,*

> In page 21, line 28, after "without" to insert "a greater;" and in line 29, after "Room" to insert "than Thirty-seven per Cent in the case of Paddle-wheel Steam Ships, or than Thirty-two per Cent in the case of Screw Steam Ships."

After short discussion, Amendment *withdrawn.*

Clause *agreed to.*

Further Amendments made: The Report thereof to be received on *Thursday* next. [Bill No. 185].

POLICE AND IMPROVEMENT (SCOTLAND) BILL—[BILL No. 142.]

COMMITTEE. BILL RE-COMMITTED.

Order of the day for the House to be put into a Committee on the said Bill read.

THE DUKE OF ARGYLL proposed that the Bill should be committed *pro formâ,* in order that the Amendments of which notice had been given should be printed.

LORD REDESDALE thought the Bill, which consisted of 450 clauses, attempted a great deal too much, and would fail in its application to all the cases for which it was intended.

House in Committee; Bill *reported,* without Amendment; Amendments made; and Bill *re-committed* to a Committee of the Whole House on *Friday* next [Bill No. 186].

SUMMARY JURISDICTION (IRELAND) BILL — [BILL No. 68.]

SECOND READING.

EARL ST. GERMANS *moved* that this Bill be read the second time.

LORD CRANWORTH said, he regretted that before the criminal law of England and Ireland had been consolidated twelve months it should be thought necessary by thosew ho were acquainted with the social condition of the sister country to pass a special Act like the present. However, as it had passed the other House of Parliament, and was considered a useful measure by the noble Earl who introduced it, he would not oppose the second reading, reserving to himself the right to draw attention to particular provisions of the Bill in Committee.

The Earl of LEITRIM supported the Bill.

Viscount DUNGANNON believed the Bill would diminish expense and mitigate many of the evils which at present existed.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

DECLARATION OF TITLE BILL.

[Bill No. 170.]

Commons Amendments *considered* (according to Order); some *agreed to*, One *disagreed to*; and a Committee appointed to prepare Reasons to be offered to the Commons for the Lords disagreeing to One of the said Amendments: The Committee to meet *To-morrow*, at Four o'Clock.

TRANSFER OF LAND BILL.

[Bill No. 171.]

Commons Amendments *considered* (according to Order), and *agreed to*, with an Amendment; and Bill, with the Amendment, returned to the Commons.

SALMON FISHERIES (SCOTLAND) BILL.

[Bill No. 175.]

Amendments *reported* (according to Order), and Bill *re-committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at Nine o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, July 14, 1862.

Minutes.]—Public Bills. — 1° Night Poaching Prevention; Excise Duties.

2° Jamaica Loan (Settlement); Charity Commissioners' Jurisdiction; Queen's Prison Discontinuance (1862).

3° Thames Embankment; Parochial Buildings (Scotland); Savings Banks (Ireland).

PULTENEY HARBOUR BILL.

CONSIDERATION.

Order for Consideration read.

Mr. R. HODGSON said, the Bill was promoted by a private society called the British Fisheries Society, and he objected to the measure on the ground that it enlarged the jurisdiction of that society, and enabled them to levy rates on the tonnage entering the bay of Wick, from whatever cause, whether by accident or for orders, and also that it extended the establishment of compulsory pilotage. He should therefore move to omit the proviso to Clause 22, which related to the establishment of compulsory pilotage.

Amendment proposed, in page 8, line 36, to leave out from the word "pounds" to the word "Provided," in page 9, line 1.

Mr. MASSEY observed, that the course taken by the hon. Member was a perfectly novel one, and one that, if generally followed, would lead to great inconvenience in the conduct of private business. He had received no intimation that it was the intention of the hon. Gentleman to propose the Amendment, nor had the officer who was specially charged with the duty of examining all proposed amendments. The clauses had been argued by counsel, and had been fully considered in the Select Committee, and the usual course would have been, if the hon. Member considered that a wrong decision had been come to, to move the re-commitment of the Bill.

Lord HENRY LENNOX said, he also should oppose the Amendment, on the ground that the Bill and the particular point to which the hon. Member had called attention had received the most anxious and patient attention, not only of the Committee of that House, but also of a Committee in another place, one of the Members of which had once been President of the Board of Trade.

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

Bill to be read 3°.

LUNACY (SCOTLAND) BILL.

QUESTION.

Colonel SYKES said, he wished to ask the Lord Advocate, What he proposes to do in reference to the Amendments made to this Bill in the House of Lords?

The LORD ADVOCATE replied, that he should to-morrow propose that the Lords' Amendments be taken into consideration, and he should then take the opportunity of making a statement in reference to them.

BLEACHING AND DYEING WORKS ACT AMENDMENT BILL.—QUESTION.

Lord JOHN MANNERS said, he rose to ask, What course the Government proposes to take with regard to this Bill?

Mr. MILNER GIBSON said, that when he moved the second reading of the Bill, he was led to believe that there was a general assent to the measure. He had since found that great difference of opinion existed upon the subject, and therefore, at that late period of the Session, he should advise those who brought the measure forward not to press it further this year.

DISTRESS IN THE MANUFACTURING DISTRICTS.—QUESTION.

Mr. HIBBERT said, he wished to ask the President of the Poor Law Board, Whether in the present and prospective state of Distress in the Manufacturing Districts, he is prepared to bring in a Bill for the purpose of enabling Boards of Guardians to borrow money with the consent of the Poor Law Board, for the purposes of relief; such loans to be borrowed on the security of the rates, and to be repaid by instalments extending over a period of not more than seven years. He also wished to know whether the right hon. Gentleman contemplates any other means of relieving the distress which is gradually extending throughout the Manufacturing Districts.

Mr. C. P. VILLIERS said, he had asked his hon. Friend the Member for Oldham to postpone his question from Friday night till that evening, and he had to thank him for having complied with that request. He had made that request in order that he might in the mean while ascertain precisely whether any information had been received at the Poor Law Board from the unions in Lancashire, showing that the guardians were desirous of possessing the power with which his hon. Friend proposed to invest them, or whether any statement had reached the Board at variance with those which had previously been made, and which were to the effect that the means and powers possessed by the authorities in those localities were fully adequate to meet any emergency that might arise. He had now to tell his hon. Friend, that no board of guardians had as yet, in any communications with the Poor Law Board, expressed their wish to have this power of making loans; and that looking to the amount of poor rate levied, and the proportion it bore to the value of the property, there was nothing to justify him in saying that the occasion for such a measure (unprecedented as it would be in this country) had, as yet, arisen. He was bound, however, to say, that having been in constant communication with the very intelligent gentleman who was specially commissioned by the Government about ten weeks ago to proceed to those districts for the purpose of reporting on the condition of the people, and keeping them accurately informed on that subject, he had observed in the letters that he had recently addressed to him a less hopeful tone as to any mitigation of the present distress, and something like mistrust of that continuous flow of private benevolence on which, together with the poor rate, he and others had relied for the support, at least till the end of the year, of those who had been unfortunately deprived of their employment. This somewhat altered view taken by the Commissioner had been determined partly by the lamentable prospect of the protraction of the civil war in America, which the latest reports justified; and partly by the great and unexpected rise in the price of cotton, which, though somewhat caused by general speculation, had been also much effected by the export from the country during the last four weeks of a large amount of the cotton which had been previously intended for consumption at home, and which had, of course, led to the further closing of mills and the increase of destitution among the operatives, and further, also, had it been affected by the visible approach to exhaustion of the deposits in the savings banks, and of the supplies from friendly and benefit societies, on which the working class had drawn largely to maintain their independence during the last six months. Those things certainly combined to give a gloomy aspect to affairs, especially with regard to the future. At the same time they were still in a position to say that the rates had not reached the point that they had done at other periods of distress, and that there were several places then in England where the rates were higher than in the most distressed township of Lancashire. Thus, whereas pauperism in some places amounted to 1 in 15, 1 in 16, or 1 in 17, it amounted only to 1 in 19 in Lancashire. It was important to be observed, however, that the smaller contributors to these rates, who in ordinary times derive a profitable custom from the expenditure of the working classes, and who then were almost without trade, had begun to feel the pressure of the rates most severely; and it was a matter of grave consideration how soon their position might be changed, and those who had been hitherto ratepayers might become the recipients of relief themselves. It was under these circumstances that he did not feel disposed at once to say that his hon. Friend's proposition was not one that ought to receive a most attentive consideration, or that the time was not come when either that measure, or some other still better suited to the exigency of the time, should receive the deliberate attention of Parliament. On the contrary, he did think the circumstances to which he had referred tended to show that those districts did require the most watchful consideration on the part of the Government, and possibly they might have during the sitting of Parliament to provide some special means to meet the peculiar distress, should the existing means be deemed inadequate to provide for the relief that might be required during the recess. But, under any circumstances, he begged his hon. Friend to believe that he (Mr. Villiers) was fully sensible of the responsibility which attached to the Government, and more especially, perhaps, to the department over which he had the honour to preside at that critical moment; and that he would not suffer Parliament to rise without apprising the House of any difficulties that he saw might arise during the recess from want of power of relieving the distress, should it extend itself further, and also of any provision which he thought it possible for the Legislature to make to meet the evil. He knew the solicitude that that House had felt on the subject during the Session, and by personal communication had he been made more particularly aware of the anxiety and sympathy felt by those who represented those distressed districts in that House; and he felt sure, therefore, that even at the last moment the House would not shrink from giving effect to any legislative measure that was shown to be needed for the occasion. The other point on which he had been anxious to be informed before replying to his hon. Friend was the actual state of the law, with the view to the exercise of extraordinary powers to meet an occasion so peculiar and exceptional as the present. He might now venture to say that, strictly speaking, the law as it existed at present provided for the consequences of any places being unable adequately to support their own poor. It was provided distinctly in one of the oldest Acts in the statute-book regulating the relief to the poor, that if any place or parish should be deficient in means, such place might claim from the magistrates an order of contribution in aid from any or from every parish of the hundred in which such parish was situated; and should it so happen that all the parishes in that hundred should be circumstanced alike, and unable to relieve each other, then that the magistrates might make an order upon any other parishes in the same county for relief in aid of the parish or parishes so distressed. When, therefore, the wealth and extent of the county of Lancaster was considered, its annual rateable value being actually far more than £8,000,000 a year, and when the great extent of some of the hundreds of that county was considered also, the annual value of one of them being £2,000,000 a year, the House would see that, as regards any particular township, as the law stood at present there could be little danger of means being wanting for the relief of the poor. Of course, the law must be faithfully applied by the magistrates, and it was necessary that the appeal for this purpose should be made to those who would act with judgment and independence. He had stated to the House what the law in this matter was, in order that, together with the assurance he gave that the most deliberate consideration should be given to the proposition of his hon. Friend, or any other having in view a similar purpose, all alarm might be allayed with respect to the power possessed of relieving any increase of distress during the recess.

Colonel WILSON PATTEN said, he wished to ask when the right hon. Gentleman expected to receive the final report of the Commissioner who had been sent down to inquire into the state of distress in the manufacturing districts?

Mr. C. P. VILLIERS said, he was not aware there would be any final report beyond that which the Commissioner would make from the last place which he happened to visit. He had already sent particular reports from those places which he had visited, and to those reports his hon. and gallant Friend might have access, or there would be no objection to lay them on the table of the House if it were thought advisable that they should be produced.

MR. COBDEN: I am anxious to ask my right hon. Friend the President of the Poor Law Board a question in continuation of the subject just referred to. He has alluded to the alternative in case of need of applying the principle of a rate in aid to the relief of these distressed districts. I wish to ask my right hon. Friend if he has considered whether the law of Elizabeth giving power to the magistrates to grant a rate in aid is applicable to present circumstances? I am told, from what should be very high authority, that that law upon a late occasion in the neighbourhood of Coventry was found not to work, and that in fact there is no power for its compulsory administration. I should like, therefore, to ask my right hon. Friend whether this subject has engaged his attention, or at all events to state that it will do so. I should wish also to ask whether, there being two or three questions which must come before the House in reference to the state of things in the North of England, my right hon. Friend proposes to bring the subject generally before the House, in order that Parliament may have a full opportunity of discussing it before it breaks up for the recess.

MR. C. P. VILLIERS: I think my hon. Friend has been somewhat misinformed with respect to the operation of the Act of Elizabeth. The section of that Act which relates to the matter in question is quite clear, and has been put in force on different occasions; the instance that he names, indeed, is a case in point, and arose out of circumstances analogous to those of Lancashire—I refer to the intense distress which prevailed in Coventry and the neighbouring towns. The only question that in that instance was raised by the inhabitants of the parish ordered to contribute to the rate in aid was, whether the distress in the particular locality sought to be assisted—which was the parish of Bedworth, I believe, in which the rates reached 12*s*. in the pound—was sufficient to bring them within the provisions of the Act. That question has not been authoritatively decided, not owing to any doubt as to the state of the law on the point, but because of the abatement of distress in the parish itself, and an indisposition, in the absence of any absolute necessity for doing so, to go to the expense of retaining counsel on the matter. I too, as well as my hon. Friend, have consulted competent authorities on the subject, and they are of opinion that the justices have complete power of ordering any parish to contribute in aid of the distress in another, the only question being—and that is a point which is left to the discretion of the justices themselves—whether the amount of distress in the parish sought to be relieved is sufficient to warrant the order. I may add, in answer to the second question of my hon. Friend, that I am not quite able to say when the general question will be brought under the notice of the House, inasmuch as I can not as yet state in what form it is to be submitted to Parliament. The proper occasion to discuss the subject will, I think, be when legislation upon it is proposed, and that such legislation will be proposed is, in my opinion, more probable than not.

DISTRESS IN IRELAND.—QUESTION.

MR. SCULLY said, the President of the Poor Law Board had given a most satisfactory and considerate answer to the question which had been put to him in regard to the distress that prevailed in Lancashire. He wanted to know, Whether with respect to the greater distress in Ireland, and the less means of meeting it, the Home Secretary will take care that that distress will be inquired into, and that some legislation shall be brought forward to relieve the distress in that country as well as the distress in England?

SIR GEORGE GREY said, the Government had made careful inquiry into the condition of the West of Ireland, and did not think the result had been such as to satisfy the Government of the necessity of having recourse in that case to the measure which was sanctioned by Parliament some years ago for meeting distress by rates in aid from adjoining parishes.

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[BILL No. 168.]

COMMITTEE.

Order for Committee read.

House in Committee.

SIR GEORGE LEWIS said, he proposed to negative the schedule as it then stood, and to substitute, with some slight alterations, the Return which he had laid upon the table. He moved that Amendment in accordance with an understanding which he came to with the hon. Baronet opposite (Sir Stafford Northcote), and to adapt the schedule to the proviso which was moved by him when the subject was last before the House.

Sir FREDERIC SMITH said, that in consequence of the alteration, the right hon. Baronet would not, he supposed, ask the Committee to proceed further with the Bill that evening. It introduced a new matter, and the House ought to have further time to consider it. The right hon. Gentleman, it appeared, had condemned his old schedule.

Sir GEORGE LEWIS said, the schedule of the Bill was not condemned by him, but the substitution had been proposed with a view to give effect to a proposition made by the hon. Baronet, in which he thought the House generally concurred. The schedule he now proposed was already in the hands of Members in the form of a Return; but he should have no objection to reprint the Bill with it.

Mr. BERNAL OSBORNE observed, that the schedule had not been before the House in its true form; and without wanting unduly to interfere between the majority of the House and the Report upon the Bill, it was by no means a proper way of proceeding with the business of that House, if they accepted a schedule which was not before them. Every day converts were coming over to his opinion with regard to the construction of these forts; and he doubted whether, if the measure had been brought forward in May instead of July, it would have had a majority in its favour.

Sir GEORGE LEWIS said, there were two more stages through which the Bill would have to pass—the report and the third reading; and the report would be the proper occasion for any further discussion upon the point. The House would have been perfectly ready to have passed the Bill through Committee the other night, had he not agreed to the alternative proposed, which he found could not be made upon the report. After all, the step he asked the Committee to take was of a merely formal nature.

Mr. AUGUSTUS SMITH hoped that the Bill would be brought forward at such a time of the evening as would afford an ample discussion of its merits.

Sir HENRY WILLOUGHBY said, he could not agree with the right hon. Baronet that the proposed proceeding was a mere matter of form. He for one was very anxious to see to what extent the power was limited of entering into contracts for sums of money exceeding the grants of that House. Nothing could be more absurd than to come to the House after the contracts had been entered into and the money spent. He also understood that the Secretary for War had entered into an engagement to assent to a proviso to the effect that no contract should be made without the sanction of Parliament.

Sir GEORGE LEWIS stated, that such a proviso had already been added to the second clause of the Bill; but the thing was done in a hurried manner, and the phraseology of the proviso was not quite clear. However, in order to remove the obscurity, he had given notice of an amended proviso, which the hon. Baronet would find on the paper.

Mr. MONSELL said, that many points of detail remained to be discussed, but he thought they might be dealt with on the bringing up of the report, provided that stage of the Bill were taken at a convenient time.

Colonel SYKES said, he hoped hon. Members would be permitted to see the amended schedule before being called upon to discuss its details.

Sir GEORGE LEWIS remarked, that the amended schedule was substantially the same as that in the hands of the Committee. It contained nothing additional, nor had anything been abstracted.

Sir DE LACY EVANS said, he thought that the discussions upon that Bill should not be terminated until hon. Members had an opportunity of expressing an opinion upon the different forts. He was prepared to recommend a reduction in the number of forts at Portsmouth, and he desired some further information relative to those to be erected at Plymouth. It was essential that the House should be allowed to discuss the details.

Sir FREDERIC SMITH said, it would be far more convenient to discuss the details in Committee than on the bringing up of the report. He felt sure that some of the proposed forts were a complete mistake; and having visited Spithead on the two previous days, he had no hesitation in saying that the Secretary for War had exercised a wise discretion in abandoning the works there. He objected to the works on Portsdown Hill, to some of those on the west side of Portsmouth, to many at Plymouth; in fact, there was scarcely a single district with respect to which he did not propose to bring forward some Amendment. He wished to know whether, if a better gun than any they then possessed should be produced shortly, the proposed works should be proceeded with or not during the recess.

Sir JAMES FERGUSSON said, the complaint that these forts had not been sufficiently discussed came with singularly bad grace from the hon. Member for Liskeard (Mr. B. Osborne). He doubted, for his own part, whether any question had ever been more fully debated. To revive the general discussion upon each fort as it appeared in the schedule would be an excellent way of defeating the Bill, which, perhaps, was the object of the hon. Member for Liskeard. The main question had been decided again and again by the House, which was of opinion that they ought to build forts for the purpose of enabling their smaller forces to encounter the larger fire of an enemy in the defence of Her Majesty's arsenals and the protection of the anchorage. The House having declared itself in favour of the scheme as a whole, some responsibility and discretion he thought should be left to the Government in carrying out the details. The House was not qualified to discuss scientific points.

Mr. BERNAL OSBORNE said, his only object was, that they should treat the question as they did the Estimates, and instead of discussing the matter in a lump they should take each individual item. The hon. and gallant Member who spoke last seemed to think that the minority on the question had no authority in their favour, although the gallant Member behind him (Sir F. Smith), who had fifty years' experience as an officer of engineers —and the gallant General the Member for Westminster (Sir De Lacy Evans) were both in favour of further time being taken for consideration. The postponement of the discussion was the more important, as every day's experience was tending to show more and more the uselessness of the proposed forts. There were three points of the late discussion which had been slurred over. First, the forts at Portsdown Hill. Two of those forts had given way at the foundation. Forts Elson had given way; and the right hon. Baronet the Secretary for War explained that the water had percolated through the scarp. The foundations of Fort Rowner were in a defective state, which the right hon. Member admitted was caused by a settlement of the masonry; and Captain Galton in a letter to the paper had disclaimed all responsibility in the matter by stating that he was not the Inspector General of fortifications. He had also called attention to the position of the guns at Fort Redcliffe, in the Isle of Wight, which it was said would not sweep the beach; and he begged for a distinct answer from the Secretary at War upon these points.

Sir GEORGE LEWIS said, that if it were the wish of the House to enter into a detailed discussion of the different forts, he should be ready to give the Committee all the information in his power; and though that course might have the effect of prolonging the Session, and prove somewhat inconvenient to hon. Members, he supposed the House would be prepared to concede the time which would be necessary for that discussion. But, at the same time, he wished to point out that it was competent to any hon. Gentleman to bring the subject forward on the report; because, although the Votes could not be augmented on that occasion, it was open to the House to omit or reduce the amount of any item. Therefore, if the Bill were reprinted with the new schedule and placed as the first order for Friday next—the earliest day possible, seeing that the Indian Budget was fixed for Thursday—every practical object would be obtained without unnecessary delay. With reference to the forts mentioned by the hon. Gentleman, he could only repeat what he had before stated. In the case of Fort Elson, as sometimes happened in earthworks, there was a projection of earth after the face had been cut down; but whatever defect was thus created had been cured. With regard to Fort Rowner, a settlement had taken place, but it did not generally affect the strength of the fort. As to the other case, he had no information, but he would make inquiry.

Sir DE LACY EVANS said, the objection to taking the discussion on the report was that hon. Members could only speak once.

Sir FREDERIC SMITH observed that the statement of the right hon. Baronet was substantially quite correct with regard to the forts named by the hon. Member for Liskeard. The defect at Fort Elson was easily remedied; and at Rowner fort the damage fell on the contractor. He would have to make it good at his own expense. There would be no cost occasioned to the Government. He submitted that they would only be losing time by adopting the course proposed by the right hon. Gentleman, and that they could only properly discuss the subject upon the re-commitment of the Bill.

MR. MONSELL observed, that as there would, in all probability, be a long discussion on Friday on the affairs of America, that day would not be a very convenient one to fix for the discussion of the Bill.

LORD ADOLPHUS VANE TEMPEST said, he thought it would be better to take the discussion on the re-committal of the Bill than on the report. The non-advisability of the fortifications was becoming every day more obvious; and the question, which many hon. Members wished to discuss, should not be pooh-poohed by the right hon Baronet.

SIR GEORGE LEWIS said, he did not think it was quite reasonable to accuse him of stifling discussion because he declined to re-commit the Bill. He proposed to negative the schedule as it stood, and to substitute another, which he held in his hand. It was quite competent for any hon. Member to move that any fort mentioned in the schedule should be omitted. If the Bill were re-committed, it would enable them to go through the whole clauses from the beginning, which certainly was not the intention. It was quite competent to discuss the schedule at present.

SIR HENRY WILLOUGHBY objected that they really did not know what that document was.

Question, "That the Schedule stand part of the Bill," put, and *negatived.*

SIR GEORGE LEWIS said, he would then propose the amended schedule.

SIR HENRY WILLOUGHBY said, the Committee were now called on to discuss a document they had never seen.

SIR GEORGE LEWIS: The hon. Member can get a copy at the Vote Office.

SIR HENRY WILLOUGHBY said, he was obliged to the hon. Baronet for his information. He had not received a copy of the schedule; and he therefore objected to going into a discussion of it. He should move that the Chairman report progress.

SIR GEORGE LEWIS said, he thought the offer he had made was a very fair one —that they should now discuss what, though not formally, was practically in the hands of Members. The schedule was nothing but a Return which he had laid on the table, and which he had consented, on the Motion of the hon. Baronet the Member for Stamford (Sir Stafford Northcote,) to annex to the Bill. The hon. Baronet first proposed to put it in the form of an instruction to the Committee, but was informed by the Speaker that he could not formally make that Motion, it being competent to the Committee to insert that schedule without any instruction. The hon. Baronet therefore moved it as a proviso. A division was taken on the subject, and the House decided by a small majority that they would not agree to the exact words, but assented substantially to the proviso; and on an appeal from the hon. Baronet he afterwards adopted the proviso and inserted it at the end of the clause. If the House had any wish now to go in detail through the schedule, he was ready to discuss it; if they preferred to go through it on the report, he would take care that the Bill was reprinted before the report. He would reprint the Bill before the report, and take care that the report should be brought on at an hour of the night when it could be fully discussed. Under these circumstances he hoped the Committee would not sanction any additional loss of time by agreeing to the Motion to report progress.

MR. AUGUSTUS SMITH said, that if the right hon. Gentleman had inserted the schedule on Thursday night, the Committee would have known what it was about. He trusted that the Motion for reporting progress would be persevered with.

SIR GEORGE LEWIS said, he would willingly have inserted the schedule on Thursday night, but it was impossible for him to do so, as the schedule was not then ready. The agreement was made during the discussion on that night, and therefore it was not possible that the schedule should have been ready. He had intended to insert it on Friday, but was prevented by the unfortunate accident which abruptly terminated the sitting of the House.

SIR JOHN PAKINGTON said, he thought the right hon. Gentleman would save time by acceding to the reasonable request for a short postponement. There had evidently been some misunderstanding as to the manner in which the schedule was to be added to the Bill; and as that schedule embraced the expenditure upon no less than fifty or sixty different works, it was only right that the House should have an opportunity of considering it in detail.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:* — Ayes 78; Noes 105: Majority 27.

MR. MONSELL said, he wished to propose that the sum for Portsdown Hill—

namely, £110,000—should be reduced by £70,000. Her Majesty's Government had not called on the House to vote that sum simply on their own responsibility, but had submitted to them the Report of the Commissioners, together with the evidence taken before them. He maintained, therefore, that it was the duty of every hon. Member to take into account the reasons assigned by the witnesses examined by the Commissioners, and to give their verdict accordingly. Since the last meeting of the House the circumstances of that case, which appeared to him to be very grave before, had assumed even a graver character. A pamphlet had been recently published by Admiral Denman, in which that gallant officer pointed out that they must depend simply upon their iron-clad ships for the supremacy at sea and for the defence of their dockyards. Admiral Denman said, "We are sinking fast, through mismanagement, into a state of naval inferiority;" and, after quoting Mr. Cobden's opinion that no one could expect the French Minister of Marine to descend with his eyes open to the level of the wasteful mismanagement of our Admiralty, he added, "I do not hesitate to affirm that this statement will meet the concurrence of the great bulk of those who are conversant with the subject there treated of." Admiral Denman was an officer of great authority, and one who was not likely to find fault lightly with the present Board of Admiralty; and those who wished to put the country into a proper state of defence, but who objected to the means proposed by the Government, were entitled to quote that authority. The object of the forts at Portsdown Hill was stated by the Commissioners and the noble Lord at the head of the Government to be to prevent an enemy from bringing his guns within 8,000 yards of Portsmouth dockyard to bombard it. But the hon. and gallant Member for Wakefield (Sir John Hay), who was a very high authority upon the subject, had told them that an enemy's fleet could be brought within less than 8,000 yards of Portsmouth; and therefore if an enemy obtained the supremacy of the Channel, there would be no necessity for any force to be landed in order to bombard the dockyard. Did hon. Members really understand what an invasion meant? The last time an invasion of this country was projected was in 1803; but the position of England was very different from what it was in 1803. They possessed numerous railroads, by means of which they could concentrate all their force upon any point of the coast; they had an increased population, and increased means of defence. But even in 1803 Napoleon considered it necessary to have for his projected invasion no less than 150,000 men, 10,000 horses, 400 field-guns, and several siege trains. At the present time an invasion could only take place when the enemy had obtained, and England had wholly lost, the command of the Channel. Four or five iron-clad ships alone would be sufficient to crush the wooden transports, on which such a force must be embarked, like eggshells, and prevent invasion. He would ask the Secretary for War to answer two questions—first, whether he agreed with the hon. Member for Wakefield (Sir John Hay), that, supposing even all the forts to be built, an enemy could, without being touched by any of those forts, approach within 8,000 yards of the dockyard, and consequently could bombard it from the sea; and next, whether, if that were the case, it would be necessary for an enemy to land 150,000, or any force, to attack Portsmouth? Much stress had been laid upon the duty of bowing to authority, but upon that question authorities were divided. A French officer—Admiral Paris—in an able pamphlet, had declared that floating batteries were the best means of defence, and after referring to the projected invasion of 1803, said that *coups de main* had ceased to be practicable, and that to land an army the command of the sea was necessary. Considering, then, that if an enemy had the command of the sea, he could destroy the dockyard without landing any force, he would ask of what possible use could the forts on Portsdown Hill be? If the premises were granted, the conclusion was obvious that the expenditure upon forts was a lavish waste of money, which was wanted for other means of defence. Surely the Members of that House ought to use their common sense upon this subject, without being carried away by authorities who, like the Commissioners, had frequently contradicted themselves. Many authorities had been quoted against the scheme, but many others could not be referred to, and he was informed that one able opponent of the scheme—a captain in the navy on full pay—had been told, that while on full pay, he must keep his mouth shut; and although he, feeling the importance of this question to the country, requested to be placed upon half pay, his request was refused. When such pressure was put upon officers who were competent to give opinions, it became the duty of that House not to rely implicitly upon the authorities adduced by the Government. There was an instinct in the breast of every man that the proper way to defend this country was to increase her naval force by every means in our power. Napoleon relied for an opportunity of invasion upon the calms which at certain times prevail in the Channel; but, according to a distinguished French authority, there were no calms practically now, for steam had placed the English cruiser in a position of direct advantage. The words of Sir Nicholas Throgmorton, addressed to Lord Burleigh, were as true now as they were then, when he recommended Lord Burleigh to increase the navy by all the means he could, and to animate as many as possible to join it, as it was the best and most cheap defence of England. He would venture to say that the Committee would do well to turn its attention to the grave matters which had been raised by Admiral Denman's pamphlet, and to see whether the money could not be spent in a better way than was now proposed. Considering the circumstances of the country and the distress which all must see looming before them in the approaching winter, it was their duty to take care that they did not spend money uselessly. He hoped the Committee would require, before they granted the money, a plain and simple answer to the questions which he had put to the right hon. Gentleman. He should conclude by moving that the Vote for the Portsdown Hill works be reduced by £70,000.

Motion made, and Question proposed,

"That the aggregate amount of £110,000, for the works at Portsdown, be reduced by £70,000."

Lord CLARENCE PAGET said, he wished to ask the right hon. Gentleman for the name of the officer on full pay who was forbidden to express certain opinions as the right hon. Gentleman had stated.

Mr. MONSELL said, the statement which he made was, that there was an officer on full pay who was anxious to express in newspapers or pamphlets his opinions upon the matters now under debate; but he found that, by some regulation which had been issued, he was not allowed to do so. He applied for leave to go upon half pay, but he was refused. The officer was Captain Coles.

Lord CLARENCE PAGET said, he had no doubt that his right hon. Friend had no intention of misrepresenting facts, but he had entirely misstated the facts of the case relative to Captain Coles. Captain Coles had been employed to construct a shield of his own invention, being an officer on full pay, and employed upon very important matters. Captain Coles, unfortunately, published a letter in *The Times*, which he hoped Captain Coles, afterwards regretted, as the statements which he made in it were not accurate. Captain Coles applied to be put on half pay, and the Admiralty told him that there would be no objection, but that whilst he was on full pay it was not competent for him to be writing to the newspapers with regard to cupola shields which he was constructing.

Mr. BERNAL OSBORNE said, he wished to corroborate in the most distinct manner the statement made by his right hon. Friend, and to give the most positive contradiction to the explanation given by the noble Lord. Captain Coles distinctly told him (Mr. Osborne) that he had applied to be put on half pay, in order that he might publicly express his dissent from the scheme of Her Majesty's Government, and the Admiralty distinctly refused to put him on half pay.

Lord CLARENCE PAGET: All I can say is that I have heard nothing of it.

Sir FREDERIC SMITH said, the schedule of the Bill gave but very meagre information, nor was it possible for any hon. Member properly to argue the point upon which they were now debating. What the right hon. Baronet asked the House to do was blindly to vote a large some of money on the assurance that on bringing up the report they would know for what objects they had granted the money. He would venture to say that not two out of every ten hon. Members then present were masters of the details which the right hon. Baronet called upon them to discuss. It was quite true that they would be allowed to discuss the matter afresh upon the report, but they would then be under a great disadvantage; for then a Member could only once address the House, whereas in Committee a reply could be given to the answers of the Government and the discussion could be complete. The Secretary of State said he wished to get the Votes now to save time. It would lose time, for he would have not only a debate now, but another on the report. A small force defending a town might be greatly assisted by a few forts; but still, if forts were multiplied beyond the power of giving them sufficient garrisons, they might become sources of peril and weakness. It had been urged by the Government that untrained troops would be suitable for the defence of the proposed works; but the circumstances were peculiar and exceptional in which a successful defence had been made by untrained soldiers. If this county were invaded, it would be by some of the best-trained soldiers in the world, and they should not be met by half-trained troops. It was to the extent of the works at Portsmouth that he objected. He would suppose this case. Suppose that a well-trained army landed, and captured one or two of these forts on Portsdown Hill; what would be the position then? The enemy would have a complete *point d'appui* for his attack on Portsmouth. He thought works in front of Gosport were necessary, but he never thought it wise to place forts on the hill at 8,000 yards distance, seeing that there is to be a strong line of defence at Hilsea. It would be much wiser to have one or two *places d'armes* at Portsdown instead of five great forts. He was aware that Sir John Burgoyne felt the value of this position; every military man must do so; but that distinguished officer maintained that it should be occupied by fieldworks thrown up at the moment when wanted. To encircle all the arsenals with strong fortifications upon the mere chance of an enemy landing on the shores of England, would be a most wasteful extravagance, and all the soldiers necessarily placed in the forts would be so many men lost to the army in the field, which, if sufficiently numerous, would be the best defence for the country. Why should public money be lavished on works with respect to which doubts were entertained? What did Captain Sulivan say before the Commission? That gallant officer stated that he was for the Spithead Forts if there was money for the purpose, but he thought the inner line of defence the most important. And what was being done for that inner line? Really nothing. He hoped the Government would accept the Amendment, for it constituted the wiser, the more economical, and more prudent course. Let the works which had been commenced and were far advanced be finished, but let not others be commenced when it was notorious they could not find garrisons for their defence. He urged the Government to diminish the number of the works both at Portsdown and at Plymouth. Day by day improvements in attack and defence were taking place. It would therefore be much wiser, instead of beginning all the works at once, to commence a limited number, and to complete them upon the best system now known; and when completed, then to commence the remainder of those which formed their programme, provided they obstinately persevered in their error of forming works which, he maintained, they would not have troops to defend, except by an increase of the Army and Militia. When the works now in course of construction were completed, very probably some improved means of defence might be available, which would be more economical than the present, and it was not improbable that iron parapets throughout would be adopted.

SIR DE LACY EVANS was understood to say, that he thought the Government had shown judgment in reducing the number of these forts below the number recommended by the Commissioners. He himself thought there ought at most to be only two fortified forts on Portsdown Hill. He thought the questions raised by his right hon. Friend behind him, as to whether fortifications were useful as a means of defence, or there was any danger of invasion, were rather beside the point which the Committee had on that occasion to consider. Upon these questions the House had recorded its opinion by a large majority; but, while he thought it desirable that the country should be properly fortified, it might be matter for doubt whether the Commissioners, in the recommendations which they had made on the subject, had not gone somewhat beyond the mark. As to the mode of fortifying the kingdom, every one would remember the old fable in which the carpenter recommended wood, the mason stone, and the currier leather; and he could not help thinking that some of the discrepancies in the evidence of the witnesses might be accounted for on the principle which that fable illustrated, that a prejudice, if not interest, warped the judgment to some extent. The question of the cost was, no doubt, a secondary question, but still it was one which ought to be considered. The chief point, however, for consideration was the number of troops which would be required to garrison the Portsdown Forts—and that they must be occupied by a large force was obvious—but this was not the time for going into that matter.

Sir GEORGE LEWIS: My right hon. Friend the Member for Limerick (Mr. Monsell), in addressing the Committee this evening, divided his remarks into two parts, the one consisting of a general argument against land fortifications or rather against all fortifications, and being in fact merely a fragment of his speech on the second reading of the Bill before us; the other dealing more with details. The right hon. Gentleman, I may add, in the first instance, tried to create a prejudice against the scheme which we proposed, by alluding to the case of Captain Coles, to whom I understood him to say the Admiralty refused leave to give evidence on the subject of fortifications.

Mr. MONSELL: I do not wish to repeat again what I so distinctly stated before; but I may perhaps be allowed to say that I did not at the outset mention Captain Coles's name at all. The name of the gallant officer was subsequently elicited from me by the noble Lord the Secretary for the Admiralty. The statement which I in the first instance made was that an officer on full pay was, by some regulation of the Admiralty, prevented from taking the part he wished with regard to this matter, and that the Admiralty refused to allow him to go on half pay.

Sir GEORGE LEWIS: Just so. "This matter" means the question of fortifications, and I may inform the Committee there never was any communication between the Admiralty and Captain Coles with respect to any evidence, writing, or publication, through the medium of a pamphlet or in the newspapers, of his opinions on the question. All the communications between them referred to the cupola which Captain Coles was to manufacture for that Department. I therefore now repeat that the right hon. Gentleman tried to create a prejudice in the minds of the Committee on this subject of fortifications by allusion to a case which has no bearing upon it, while I may also state that Captain Coles was called as a witness by the Commissioners who were appointed to institute an inquiry with respect to the Spithead Forts; nay, more, that he did appear before them, that he did give evidence on that subject, and that he is still on full pay; so that it is quite clear the Admiralty have not exercised any influence to prevent him from recording his opinions in this matter of fortifications. The case of Captain Coles, therefore, has no bearing upon the point at present under discussion. But my right hon. Friend went on to say that he had the high authority on his side of Colonel Boxer, who, he tells us, has detected the Commissioners in making some scientific error which greatly detracts from the authority of their Report. Now, I am quite aware that Colonel Boxer has printed a memorandum or a pamphlet, which I believe he regarded as confidential, but which has got into circulation, and in which he criticises some of the scientific views of the Commissioners; but I think it at the same time but right to state to the Committee that the Commissioners do not all admit the justice of his criticism, and maintain that the views which he impugns are correct. If this House should be of opinion that it is competent to decide upon a question involving mechanical considerations based on some of the higher branches of analytical mathematics, they can, of course, at once proceed to adjudicate in the case; but the matter, I confess, appears to me to be one on which the House of Commons is scarcely the proper tribunal to arrive at a just conclusion. Another general argument to which my right hon. Friend had recourse related altogether to the question whether, if Portsmouth were attacked from the sea, land forts would be of any use. Now, I at once admit, that if you construct forts with the view of defending Portsmouth from an attack made by land, they will probably be of very little use if the attack should be made by sea. That is my reply to the very difficult question which my right hon. Friend has propounded on this head. The object of the forts which we propose is to defend Portsmouth from a land attack; and if it could be proved demonstrably that no such attack could be made, then, of course, I should at once say that these fortifications at Portsdown Hill, with others in their vicinity, would be almost, if not altogether, superfluous. The question, then, is, is Portsmouth not liable to be attacked by land? That it is, is the opinion of eminent scientific and professional men by whom this scheme was propounded. The opinion of Sir John Burgoyne has, indeed, been quoted as hostile to the construction of these forts at Portsdown Hill; but I would, in dealing with the point, just beg to call the attention of the Committee to a passage from the Appendix to the Report of the Commission, page 7, attached to which are the names, among others, of the Duke of Cambridge, Sir John Burgoyne, and Colonel Dixon. [MR. BERNAL OSBORNE : What is the date ?] The 22nd of February, 1859. The passage to which I allude is as follows :—

> " Of the two positions of which they consist, that in front of Gosport still precludes the enemy from occupying ground on that front, whence he could see the dockyard ; not so on the Hilsea side, in advance of which is the range of Portsdown Hill, from the whole of which the dockyard could be bombarded at a perfectly effective range from the new guns.
>
> " 6. Here, then, it would be desirable to occupy an advanced position to cover it from that evil ; and, at the same time, some of the accessory works of Hilsea might be dispensed with. The ground presents a certain amount of favourable features, being commanding and peculiarly uninterrupted by irregularities or obstructions ; it is, however, very extensive, comprising, with the height and two connecting flanks, from Chichester Harbour to Fareham Creek, not less than eight miles.
>
> " 7. We are of opinion that this line would be occupied to most advantage by a series of detached works, enclosed at the gorge, at about 1,500 yards from centre to centre ; the spaces between them might subsequently have connecting lines, or other works of a slighter character, added by the troops. Nine or ten such works, then, would be necessary, to which, probably two or three, between that and the Gosport Lines, must be added to cover ground there, on which bombarding batteries might otherwise be erected."

The hon. and gallant Member for Chatham (Sir F. Smith) has recommended delay simply on the ground of waiting for some possible change in the art of fortification. I did not understand the hon. and gallant Gentlemen to recommend delay the other night when he pressed the Chatham fortifications on the attention of the Government. On the contrary, he asked the Government why it was that no sum was inserted for the Chatham fortifications in the present year, and he said we were guilty of an omission and dereliction of duty in not demanding a vote for that purpose. With respect to the Portsdown Hill forts, I must again refer to the argument I have formerly used—namely, the argument from authority. The plan of these forts has been carefully considered by a variety of professional persons, and, as approved by them, it has been acted upon by the Government. Engagements have been entered into, land has been purchased, and works have to a considerable extent been executed. I may likewise mention that, in consequence of there being a fair held on the Hill at Portsdown which would interfere with the use of the forts, I myself this Session brought in a Bill for the discontinuance of the fair, for which compensation had been agreed to be paid. That Bill has been passed through both branches of the Legislature, and has received the Royal assent. I must say, therefore, that unless this Committee is entirely to reverse its view with respect to these plans ; unless—

" Quod petiit, spernit ; repetit quod nuper omisit ;
Æstuat, et vitæ disconvenit ordine toto ;
Diruit, ædificat, mutat quadrata rotundis ;"

unless it is prepared entirely to box the compass upon the important subject of these forts, it is bound to reject the Motion of my right hon. Friend. I hardly know what my right hon. Friend aims to accomplish. If he were to move to disallow the entire sum to be assigned for the continuation of the Portsdown Hill forts, then I could understand the connection between his Motion and his speech ; but what he moves is to disallow £70,000 out of £110,000, leaving £40,000, I suppose, for compensation to contractors and for the demolition of the half-finished works. For that, I can tell my right hon. Friend he has not left enough, because I apprehend the compensation we should be called upon to pay would exceed £40,000. Land has been purchased to the amount of £250,000, contracts have been entered into to the extent of £250,000, and nearly £65,000 has been paid on account of the works. Under these circumstances I trust the Committee will not agree to the proposed reduction.

MR. MONSELL said, it seemed to be the fate of all who opposed these fortifications to have their statements misunderstood and misrepresented. It had never entered his head to say, as the right hon. Baronet had represented, that the works on Portsdown Hill would be of no use in resisting a sea attack. What he had said was, that in case of invasion it would be possible for an enemy's fleet to approach within less than 8,000 yards of the dockyards of Portsmouth ; and as it would be easier for an enemy to send a fleet to the mouth of Portsmouth harbour than to land 150,000 troops on the coast, he presumed that an enemy would take the easiest course and would destroy the dockyard, not by means of an invading force, but by means of ships which he would send into Portsmouth harbour.

Question put, " That the aggregate amount of £110,000 stand part of the Schedule."

The Committee *divided* :—Ayes 132; Noes 50: Majority 82.

Mr. BERNAL OSBORNE said, he did not intend to put the Committee to the trouble of a division, but he wished to take a fresh opportunity of entering his protest against the measure. In the whole course of the discussion which had taken place upon the subject, he had heard no valid arguments in proof of the necessity of these forts. He did not presume to prophesy, but he should say that the day would come when the country would be alive to the ridiculous folly of the structures upon which their money had been expended. Such had been the case with regard to the old forts at Gosport. There was a celebrated epigram of Gibbon's, which, alluding to the fact that they were built by convicts, said—

> "To raise this fortress of enormous price
> The head of Folly used the hand of Vice."

The present forts were not to be built by convicts; but although vice was not to be employed on this, there could be no doubt of the folly of spending at such a time millions on these works, when it was acknowledged that the fleet of the country was not in a satisfactory state. Some things had come out in the course of the discussions which he had been astonished to hear. They had been told by the Secretary for War that a Bill which had been on the paper from the beginning of the Session, and which had attracted very little attention—the Portsdown Fair Bill—was really an important matter. They were, in regard to that Bill, "a day behind the fair;" for the right hon. Gentleman had only recently explained its provisions, under which, as it appeared, £40,000 was to be expended in commuting the right of holding the fair, with a view of putting fortifications in its place. He had also heard, with some surprise, the attack made by the right hon. Gentleman the Secretary for War upon the hon. and gallant Member for Chatham—who was, unfortunately, not in his place—for being prejudiced in favour of the fortifications at Chatham, which were not to be proceeded with. All that the hon. and gallant Officer said was, that if the Government proceeded upon the principle of defending the arsenals, it was of prime importance to defend Chatham and Woolwich. He would not now enter into the subject of Captain Coles's invention, because it was impossible to make the Secretary for War see the arguments which were adduced on all sides against the fortifications. What was clearly made out was, that to give an enemy the opportunity of landing an army to besiege Portsdown, this country must first have lost the command of the sea; and if she had lost the command of the sea, what use would fortifications be on Portsdown Hill? There were various other items in the schedule on which a division ought to be taken; but the state of feeling in the House was evidently against it; he was satisfied to test that feeling. He should very much like to go to a general election with the cry of fortifications raised by the Government. He was very much mistaken if they did not hear more on this subject before long. As to the case of Dover, he must say, in the words of the great public instructor, *The Times*, there never was a more wanton and profligate waste of money. Before resuming his seat, he begged to protest against the lavish waste of public money—293 millions sterling having been spent on naval and military matters during the last twelve years, sanctioned by the House of Commons. He did not join in the present wasteful scheme, and he should ever look back with pride and satisfaction upon being one of the minority who had resisted it.

Sir GEORGE LEWIS said, he did not rise to prolong the discussion, but to explain. He had not endeavoured to prejudice the question by stating that the hon. and gallant Officer (Sir F. Smith) had urged the erection of forts at Chatham, and recommended delay with regard to those at Portsmouth. He repeated what he said—the gallant Officer complained of the want of energy on the part of the Government in the case of Chatham, and put to him a question whether it was intended to rectify the error which had been committed by not providing for works at Chatham in the present year; to which he replied that the works had not been abandoned, but it was not thought desirable to proceed with them this year, and he gave his reasons for that course.

Lord ADOLPHUS VANE TEMPEST said, he certainly thought that the language of the right hon. Gentleman (Sir G. Lewis) had been calculated to throw the imputation of interested motives upon the hon. and gallant Member for Chatham, by imputing to him an advocacy of the Chatham works while opposing others, whereas his gallant Friend the Member for Chatham had only advocated the greater necessity of the Chatham works than the

Plymouth ones, and had opposed the large outlay generally till the navy was put on an efficient footing. He (Lord Adolphus Vane Tempest) agreed with the hon. Member for Liskeard, that the hon. and gallant Officer had not brought forward the case of Chatham in the manner in which he had been represented to have done. The hon. Member for Liskeard had taken the right course in no longer attempting to fight the question against the large majority which the Government had at its command. He knew not whether there was not some magnetism going on between the front benches on both sides of the House, but the feeling in favour of any heavy expenditure seemed to be contagious. There appeared to be a sort of official crib-biting in this matter. Certainly, the unanimity displayed on such occasions was wonderful. He believed the time would come when the country would regret this outlay. He might take that opportunity of stating, that he thought the noble Lord at the head of the Government had not dealt quite candidly the other night with the evidence of the hon. and gallant Member for Plymouth (Sir M. Seymour), when he quoted him in favour of the Plymouth forts. He would have shown a little more honesty if he had also quoted the latter part of the gallant Admiral's remarks, in which he had expressed his disbelief in the production of this new gun, that we were told was to accomplish such marvellous things. Why, it was for this unborn big gun that we were told we must make these costly land fortifications, as it could not, it was said, be worked on a floating battery; and now one of the advocates of the fortifications disbelieved in the future big gun. For his (Lord Adolphus Vane Tempest's) part, he considered, while their navy was inferior to that of France, it was most unwise to vote away the public money in these brick and mortar schemes.

Sir EDWARD COLEBROOKE said, he doubted whether, if the £12,000,000 voted upon fortifications had been asked for in Committee of Supply out of the taxation of the current year, the Government would have found itself in so large a majority, or in a majority at all. He felt that they were on an inclined plane with regard to expenditure—that every step they took made it more difficult to pull up—and that they stood in danger of becoming committed to the whole scheme of the Commissioners. The plan originally proposed by the Government had already been increased by the sum of five or six hundred thousand pounds; but he hoped that the Government would take a hint from the discussions that had taken place, and, as far as possible, make each year's outlay independent of any future sums of money which the House might be called upon to vote.

Schedule *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Friday,* and to be *printed* [Bill 207].

THAMES EMBANKMENT BILL.

[BILL NO. 162.] THIRD READING.

Order for Third Reading read.

Mr. DARBY GRIFFITH said, he wished to obtain some information respecting a provision in the measure bearing on the power of the Crown. The Crown's right of vetoing Bills that had passed through both Houses of Parliament had been practically obsolete for 200 years; but from this measure it would appear that the power which had deserted the domes and pinnacles of the constitution still lurked about its cellars and sewers. An official *employé* of the Crown, who was not responsible to that House, and scarcely known to the country, now came forward to revive that obsolete veto. He was surprised to find the opinion of the Law Officers of the Crown referring to such a power, and it was on that account that he ventured to raise this question. He had ventured to object to the clause in Committee, but he was told that, as his voice alone was raised, he could not divide, as there would be no second teller. The fact was that he had another teller, and he hoped that the circumstance would not be used as a precedent. He had himself acted some years ago as a teller for a gentleman, who succeeded in carrying his Motion, although no one raised his voice with him.

The CHANCELLOR of the EXCHEQUER said, he rose to order. He submitted that the hon. Member was out of order in alluding now to a question of order that had arisen upon a past occasion.

Mr. SPEAKER said, he did not understand that the hon. Member was raising a question of order, which would certainly be irregular; but it appeared to be the opinion of the House that the observations of the hon. Member were discursive in their nature, beyond the limits of order, and he had himself difficulty in not arriving at the same conclusion. The fact of the hon. Gentleman having some years ago acted as a teller, and the circumstances under which it took place, could not properly have reference to the third reading of the Bill before the House.

Mr. DARBY GRIFFITH said, he bowed to the decision of the right hon. Gentleman, and would content himself with protesting against the power given by the Bill to the Crown in its private capacity.

Mr. AYRTON said, he did not wish to renew the discussion upon the scheme, which, he believed, the public would soon find to be devised in the most expensive, but not the most advantageous, manner; but he wished to vindicate his own accuracy. Upon a certain clause he asked the right hon. Gentleman the Chief Commissioner of Works whether, having employed a private solicitor to prepare the Bill, and other solicitors at Hertford as Parliamentary agents, their charges would be the limit of charge on that account. The right hon. Gentleman took occasion to remark that he (Mr. Ayrton) had made a malicious suggestion, that was unfounded in fact. As his motives had been impugned, he thought he was justified in showing that he had no such motive as was suggested, that his statements were correct, and that the right hon. Gentleman representing Hertford ought not to have spoken as he did, considering the nature of the facts. He could only say that he had made his statement on the authority of the *Law List*; and he had since received a copy of the *Hertford Guardian*, which stated that the firm alluded to were solicitors at Hertford, with their names upon their office door, and that the right hon. Gentleman must have been cognizant of these facts. He would not read the paragraph, which might be disagreeable; but, no doubt, the right hon. Gentleman had seen it, and perhaps would admit that he was in error, and that he was conscious of facts which he must have forgotten on the former occasion. If ever the right hon. Gentleman should again take up any metropolitan question, it was to be hoped that he would be more accurate then he had been in respect of this Bill. He had asked the right hon. Gentleman what was the state of the fund proposed to be dealt with, and the right hon. Gentleman simply referred him to the clause in the Bill by which the Treasury were empowered to hand over any surplus from the London Bridge Approaches Fund for the purpose. When the right hon. Gentleman was again asked about it, he could not say. In fact, they were passing the Bill almost wholly in the dark upon the most essential point—where the fund for constructing the embankment was to come from. The Bill would deal with property, and plans ought to have been deposited, but he did not believe that all the plans had even then been deposited.

Mr. COWPER said, he thought he had more reason to complain of the hon. Gentleman and others than they had to complain of him. Instead of meeting the only points really at issue in the Bill, they had from the beginning attempted to divert the discussion to mere personal matters, which were immaterial, and had no relation to the subject before the House. Then the hon. Gentleman raised a question whether the Parliamentary agents were or were not resident at Hertford, which could have nothing to do with a Thames Embankment Bill.

Mr. AYRTON: The question is whether they were solicitors.

Mr. COWPER said, he thought it was immaterial whether they were solicitors as well as Parliamentary agents. He did not know the minute details of the firm, but he knew one of the gentlemen as a Parliamentary agent, and not as a solicitor. He did not know that they acted as solicitors at Hertford, though he had since been informed that the gentleman had a son who was a solicitor, and not a Parliamentary agent. But, at all events, the question whether a man was a Parliamentary agent or a solicitor had nothing to do with the Bill, and he thought it quite inappropriate to enter into a discussion of that point. As to the money question raised by the hon. Member, he had declined to discuss that also, because he thought it beside the subject before the House. The Bill was designed to effect a great improvement, and it was most desirable that it should not be delayed. As to the question of the hon. Member opposite (Mr. Darby Griffith), he would simply reply—No property was taken from any individual in this country without giving him an opportunity of expressing his assent or dissent; and as Parliament proposed to take a certain portion of the property of the Crown, the Crown was only placed by the Bill, with respect to the hereditary property, in the same position as private individuals.

Mr. AYRTON said, there were certain

finances of Jamaica by means of loan, and sums of money in dispute. He had asked what monies were to be appropriated by the Treasury under a certain clause of the Bill, and the right hon. Gentleman refused to answer.

MR. LOCKE said, his recollection of the question which his hon. Friend had asked was, what was the amount of the residue of the London Bridge Approaches Fund, and the right hon. Gentleman said he did not know.

MR. COWPER said, the clause referred to stated that the Treasury should be empowered to hand over such surplus as they might find after paying all the charges; he was asked what that sum would be, and he could not answer the question, because the amount could not be ascertained until the Bill had become law, and the Treasury had looked into all the charges on the fund.

Bill read 3°, and *passed.*

JAMAICA LOAN (SETTLEMENT) BILL.

[BILL NO. 190.] SECOND READING.

Order for Second Reading read.

MR. CHICHESTER FORTESCUE said, the Bill proposed to settle, by way of compromise, a very old and bad debt, which was one of the very few remnants still existing of the difficulties and charges brought upon the Imperial Government by the transition, first from slavery to freedom, and then from protection to free trade. In the years 1831-2 a loan was made to Jamaica, commonly known in the West Indies as the Insurrection Loan. It was given to assist the colonists in bearing the enormous losses brought upon them by the insurrection of the slaves, immediately before their emancipation took place. During the first few years after emancipation a certain portion of the debt was paid; but when, in 1846, another blow to the prosperity of Jamaica was struck by the Act which equalized the sugar duties, the effect was to reduce the colony for many years afterwards to a state of practical insolvency; and from the year 1847 it was found impossible to enforce the payment of the debt. In 1854 the financial state of Jamaica had grown so hopeless that the Imperial Government was compelled to take the matter seriously in hand, and, in return for certain reforms and certain financial powers surrendered by the Colonial Assembly, the Home Government in 1855 guaranteed £500,000 of the debt. Soon afterwards the Legislative Assembly of the colony addressed a memorial to the Inperial Government, praying for an entire remission of the debt on account of the insurrection loan, and Sir Henry Barkly, a man of the highest possible authority, then governor, strongly supported the prayer, pointing out the exceptional nature of the loan, the great difficulty of enforcing payment in the circumstances of the colony, and the danger that would attend any such attempt. With regard to that representation, the Colonial Office, at the head of which Lord Taunton then was, felt there was one difficulty among others, and it was this,—the Assembly refused to vote any salary for their Governor, and that salary had been thrown on the Votes of Parliament. Therefore it was thought that it would be going too far to remit this debt, without providing that the Votes of Parliament should be releived from the Governor's salary; and the indulgent plan embodied in the present Bill was suggested—namely, that the arrears of debt should be remitted, and the future amount of interest on the outstanding amount of the principal of the debt should be converted into a perpetual annuity of £6,400, to be at the disposal of the Governor of Jamaica, under the orders of the Government at home, for the service of the colony, and to be applied in the first instance to the payment of the Governor's salary. That suggestion was sent out for consideration to the Governor of Jamaica, who exceeded his instructions, and at once applied to the Assembly for an Act embodying the suggestion so made, which Act was sent home, and remained for some time under the consideration of the Government. The plan was felt to be one of a serious character, but the circumstances of the case were sufficient to convince the Government that it was a plan that might properly be carried out. It was thought necessary, however, to insist that the Jamaica Act should not be confirmed, and that the settlement of this old debt should be made in the first instance by Imperial and not by Colonial legislation, so that Parliament should have full opportunity of judging on the case. He trusted that the House would not refuse to give its sanction to the Bill. The particular loan had always been considered one of an exceptional character, and not likely to be drawn into a precedent. All the other West Indian loans, with scarcely an exception, were in the course of payment. Since the loan was granted there had been two cases in which Parliament had aided the in those cases the payments due were punctually made.

Motion made and Question proposed, "That the Bill be now read a second time."

Mr. W. WILLIAMS said, the proposition was the most extraordinary one ever submitted to Parliament. They were asked to remit a loan, amounting with interest to the sum of £249,500, which had been lent out of the public taxes of this country to the colony of Jamaica, upon condition of the colony paying a small amount of interest, all of which was to be spent upon colonial purposes. Some seven or eight years ago the colonial Legislature refused to pay £6,000 a year to the Governor, on the ground that they could get a Governor perfectly efficient for the duties of the office for £2,000 or £2,500 a year. The Colonial Office did not, however, like to withdraw all at once the Vote on the Estimates for the £3,500 which went towards the salary, and they proposed to continue it for three years longer; but at the end of that time the vote was renewed in spite of all remonstrances. He saw no reason whatever for making a gift of that large debt to the colony, which was quite as able to pay it as the people of this country, and he should move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

The CHANCELLOR of the EXCHEQUER said, that his hon. Friend the Under Secretary for the Colonies had stated with great clearness the general character of the Bill. His hon. Friend did not conceal that the House was being called on to do an act of great liberality, such, indeed, as quite astonished the hon. Member for Lambeth. It might be possible for the House to extort the payment of the money by very strong measures from the island of Jamaica; but he thought that the process requisite to be resorted to for such purpose must be such as the House of Commons would not authorize the Government to adopt. The House could not look on the case of Jamaica without seeing how the colony had been affected by Imperial legislation. It had been affected by three great Acts—the abolition of slavery in 1834; the abolition of apprenticeship, which was a heavier blow to Jamaica, and was brought about almost entirely by agitation in England; and the equalization of the whole duties on foreign and colonial sugar. The effect of these was to place Jamaica in a very peculiar condition, establishing a claim for indulgence on the part of the Home Government. Yet he frankly owned that on the part of the Treasury he should have felt it his duty to stand out for arrangements more favourable to this country, if the officer in possession of the Government of Jamaica, from misapprehension of the instructions sent out, or from what cause he knew not, had not, when desired to report on the subject of the plan, made a proposal to the colonial Legislature instead, and authorized that Legislature to pass an Act founded on the supposition that the loan was about to be remitted. What actually happened was, that the representatives of the Crown in Jamaica had authorized the representatives of the people in the colony to pass an Act which involved the remission of the loan, as was proposed by the Bill under discussion. Under those circumstances, he thought, while he to a considerable extent sympathized with the views of his hon. Friend behind him, the best course the House of Commons could adopt was to assent with grace and good humour to an act which had been already accomplished; and to accept, without wry faces, the sort of qualified advantage to be found in the total and final disappearance from the annual estimates of the charge for the salary of the Governor of Jamaica.

Sir HENRY WILLOUGHBY said, he considered the whole proceeding a most extraordinary one. No doubt the Governor was in a great hurry to get rid of the debt, and it was quite clear, so far as this country was concerned, that no less a sum than a quarter of a million was absolutely lost. It was true there was some kind of set-off proposed in the shape of an annuity of £6,400, but that was not to be paid into the Treasury of the United Kingdom, but to be spent for colonial purposes. He thought the Governor had acted very indiscreetly in jumping to a conclusion, and obtaining an authority to dispose of British money. But what had the Treasury been doing all the time? Why had they allowed the matter to slumber for thirty months? There could be no doubt that the Governor had acted under the authority of the Colonial Office in disposing of the annuity before the assent of the House was obtained.

However distasteful the present proceeding might be, under all the circumstances of the case he doubted the policy of voting against the Bill. The circumstances, he thought, which rendered it necessary must be accepted as melancholy facts, but there was one good lesson to be learnt from the whole transaction, and that was, that they should never lend money to a colony.

Mr. CAVE said, that it was not his business to defend any Department of the Government, or to reconcile the differences between any two of them. No one could read the papers which had been laid upon the table without seeing that there had been a conflict of authority. Such would occur in the best-regulated families, but it was not usual to make it so public. With regard to the Bill itself, he hoped the hon. Member for Lambeth would not persevere in his opposition. The case with which it dealt was one of a very exceptional character. The wording of the original Act showed that while loans were granted to other colonies to repair the damage caused by earthquakes and hurricanes, this was to meet the expense of a servile insurrection. Colonists were often ready to charge their misfortunes upon the Imperial Government. He had never, however, heard them blamed for hurricanes; but the agitation in this country was certainly deemed in Jamaica the cause of this outbreak of slaves. The interest of the loan in question had been paid by the colony up to 1847, while the principal had also to some extent been diminished. Between the period at which the loan was granted, however, and the year he had just mentioned, a very important event had taken place so far as the West Indies were concerned; he alluded to the equalization of the duties on slave and free grown sugar —an act which spread consternation and alarm throughout our colonies in that quarter, and which rightly or wrongly the colonists stigmatized as a breach of faith. It was to be recollected, moreover, that a new generation had sprung up in Jamaica since 1832, when this loan was contracted. The old proprietors had been ruined almost to a man, and a new race now stood in their place. Of course, that was not an answer to the obligation to pay this debt; but it showed that the people had forgotten what the loan was contracted for, and it also showed that they never themselves reaped the slightest benefit from it. As the object of the loan was to assist the Government in putting down a servile insurrection, it could not be expected that the emancipated slaves would willingly be taxed for the purpose of paying the interest, and the House would not be surprised to hear that in 1847 the affair was brought to a dead-lock. He thought the Governor of Jamaica had been placed in a most difficult situation, and had done the best he could under very embarrassing circumstances. Unless he had obtained the Act at the time, he probably would never have passed it through the House of Assembly. The present Bill did nothing more than carry out a contract which had been entered into between the Government of this country and the people of Jamaica; and since he was persuaded, that if it were thrown out, the embarrassment which had already taken place would be immensely increased, he hoped the hon. Member for Lambeth would not persist in his Amendment.

Mr. HADFIELD said, he should support that Amendment. It was hard to give up this claim upon Jamaica. That colony was in a prosperous condition; and if it were animated by a spark of gratitude, it would pay the money justly due to the mother country. The relations between England and her colonies deserved, and should receive, immediate consideration. We received from none of them any support, but paid a great portion of the expenses of their government; and, in return, they put a heavy tax — in some cases amounting to 25 per cent—on the import of our manufactures. There was no gratitude whatever on the part of any one of them towards this country. On the contrary, many of them would rebel on the first opportunity. He believed, that if they had not conquered India, they would have had more facilities for trading with that country than we had now.

Mr. SCULLY said, he must protest against the doctrine that had been laid down that a proposal made by the Government of this country to the Government in the colonies constituted a binding contract on the people of this country. It seemed to him, however, it would be more generous to wipe out the debt at once: as they could not get it, they had better give it up with a good grace. These enormous presents from the mother country to the colonies only gave rise to further demands, and he thought it would be better that the colonies should govern themselves.

Sir MINTO FARQUHAR said, that

nothing could be more unjust than the sweeping condemnation which had been passed upon our colonies. Did not Canada on the *Trent* question promptly display her loyalty to the mother country? India, too, had recently sent several thousands of pounds towards the relief fund for the distress in Lancashire. That loan of £200,000 was made by the Government to Jamaica before the emancipation of the slaves in our colonies, and in consequence of an insurrection in Jamaica. It was made at the request of the Governor of that colony. It was not true that Jamaica was wonderfully prosperous. Before negro emancipation, it exported 90,000 tons of sugar to this country, whereas now it sent not a third of that amount. He was astonished that this Bill had not been introduced long ago.

MR. ALDERMAN SIDNEY said, he also supported the Bill. The debt had been legally contracted and was justly due to this country, but it was irrecoverable; at least, it would be most distasteful to the House and the country to enforce it, and therefore he would forego it.

MR. SCULLY said, he had not heard any attack made upon the loyalty of the colonies.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *To-morrow.*

PUBLIC OFFICES EXTENSION BILL.

[BILL NO. 189.] COMMITTEE.

Order for Committee read.

House in Committee.

Clauses 1 and 2 *agreed to.*

Clause 3 (Compensation provided by 24 & 25 *Vict.*, c. 88 to apply).

SIR HENRY WILLOUGHBY asked for some explanation of its provisions.

MR. COWPER said, the object of the measure was to alter the architectural outline of the new buildings. It was proposed to surrender some portion of the site of the public offices in the Park, and to take in lieu of it other small portions of the Park to form part of the site. The result of the exchange was, that a thousand feet would be given up to the Park.

MR. BRISCOE said, that an opinion had been expressed by the House in favour of the Palladian style of architecture for these buildings instead of Gothic. Was he to understand that any change was now proposed on that point?

MR. COWPER replied, that no change in the order of the architecture was contemplated. In 1859, an Act was passed giving a special site marked in the plan appended to that Act. Since that year the Palladian design, to which his hon. Friend alluded, was adopted, and it had been found that that design did not in its ground plan exactly follow the outline prepared by the Act of 1859. Therefore a small alteration in the site became necessary to enable the design which the House agreed to last year to be carried out.

MR. HENLEY said, he wished to ask whether there was to be any change in the form of the building, or whether the building as originally planned and sanctioned by the House could not be placed on the site which the Government possessed?

MR. COWPER said, that the elevation which the House adopted, and for which a Vote was taken last year, might possibly be placed on the area obtained in 1859; but the building would suffer if they were obliged to follow that precise area, and there would be an undoubted advantage in taking the outline proposed by the Bill. There would be no change in the elevation, but the tower would be placed a little more forward.

Clause *agreed to;* as were also the remaining Clauses.

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

CHARITY COMMISSIONERS JURISDICTION BILL—[BILL No. 201.]

SECOND READING.

Order for Second Reading read.

MR. HENLEY said, that as he read the measure it took very extensive powers, and vested in the Charity Commissioners almost the whole authority of the Court of Chancery.

SIR GEORGE GREY explained that the Bill did not give any additional powers to the Charity Commissioners beyond those they already possessed.

Bill read 2°, and *committed* for *To-morrow*

LUNACY REGULATION BILL.

[BILL NO. 76.] COMMITTEE.

Bill *considered* in Committee :—

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Nature and Limit of Inquiry under Commissions of Lunacy).

MR. MONTAGUE SMITH said, he rose to move the Amendments of which he had given notice. While he was ready to admit that the Bill introduced great improvements into the law—as, for example, the provision which enacted that inquiries as to the sanity of individuals should henceforward be conducted before a Judge of the Superior Courts, instead of before a Commissioner—he was surprised to find inserted in it two provisions which would act as absolute barriers to the discovery of truth. He alluded to the provisions that certain evidence to be given on the inquiry as to the sanity of any person should not be carried back for a period of more than two years from the date of the inquiry, unless the Judge should otherwise direct, and that the opinions of medical men should be inadmissible as evidence. The former of these provisions would operate most injuriously in cases in which the alleged lunatic had lucid intervals, or was alleged to be subject to delusions. With respect to the exclusion of medical opinion, if medical evidence was shut out, juries would be left entirely in the dark ; and, to be consistent, medical and scientific evidence must be excluded upon all inquiries whatever. At present no person could be confined in a lunatic asylum without the certificates of two medical men, and in criminal cases medical evidence frequently formed the chief materials for the decision of juries. Although the inquiry into a man's sanity was by the Bill to be limited to two years, yet in all other inquiries relating to his transactions no such limit would exist. It was said that medical evidence was conflicting, and perplexed juries ; but, to be consistent in acting upon that objection, medical testimony must be rejected in all legal proceedings whatever. Then it was said that medical witnesses were sometimes partisans rather than witnesses. That, unfortunately, was too frequently the case ; but he contended that the very contradictions of medical men threw a great deal of light on the subject under investigation, and they had no right to shut out the truth because medical men differed in opinion. The argument that the present system led to abuses was not tenable, because if it were allowed to prevail, they might as well object to the liberty of speech and of the press, both of which were at times undoubtedly abused. The opinion of the medical profession was against the proposed exclusion, and so was also the opinion of the Bar. These provisions were, no doubt, introduced in consequence of the scandal of a recent case, but it was unsafe to legislate upon an individual case. He thought these provisions marred a Bill, which otherwise would be a great improvement upon the present law. The discretionary power which was given to the Judge, to admit evidence as to circumstances beyond the limit of two years, would be very mischievous in effect. He would rather absolutely limit an inquiry to a definite period, than impose upon a Judge the exercise of such a discretion. "Unless the Judge shall otherwise direct"—what was to guide the judge? He must go into a preliminary inquiry, in order to ascertain whether the evidence was relevant and admissible, and thus open a door to continual controversy. The tendency of all modern legislation had been to remove artificial barriers to the admissibility of evidence, and it was a backward step to impose these restrictions. He had discussed the Amendments he proposed together, as many general observations applied equally to both, but in point of form he must move them separately. He should move the omission of all the words between "affairs" and "nor" in line 21.

Amendment proposed, in page 2, line 18, to leave out from the word "affairs," to the word "nor," in line 21.

SIR GEORGE GREY said, he believed that the provision was intended to prevent the great expense and scandal which were incurred by carrying inquiries of this sort back to the infancy of the alleged lunatic, and through circumstances which had no material bearing upon the question, whether, at the moment of the investigation, he was competent to manage his own affairs. He quite admitted that the clause had been introduced in consequence of an individual case ; but he asked whether it was reasonable that evidence should be given of childish acts committed many years ago, as a proof of lunacy at the time when the inquiry was made. As a general rule, it was surely enough to consider whether within the last two years the alleged lunatic had behaved himself rationally. In cases where it was supposed that anterior events might illustrate the question, a discretionary power was vested in the Judge to admit evidence concerning them. He was glad to find that the hon. Member approved the principle that those inquiries should take place before a superior Judge.

Mr. HENLEY said, he doubted whether the proposed restriction would be consistent with justice. If the alleged lunatic had been insane before, the circumstances leading to his second attack might have been very similar to those which had preceded his first. It was obvious that the evidence establishing these facts would be much more impressive if evidence could be given to show that the same kind of symptoms had been followed by an outbreak. No doubt, it was of great importance that no unnecessary time should be consumed in these investigations. He was afraid, however, that the provision would not promote that end, because it would give rise to preliminary discussions as to what was admissible evidence. How was a Judge to know, until he was acquainted with the evidence offered, whether it ought to be received? Either witnesses would be collected from distant parts of the country, in uncertainty whether their testimony would be admitted, or the inquiry would be delayed until they were brought together after the court had agreed to hear what they had to say. The difficulties to which he had referred would show the error of legislation on a single case. He would vote against the provision.

Mr. COLLIER said, he heartily approved of the principle of the Bill. It was certainly a solecism to allow issues involving such great questions to be tried before an inferior Judge. Nobody would ever have thought of allowing a will cause to be heard except before a superior Judge; and why should the ability of a man to dispose of his property in his lifetime be tried before a Judge of lower rank? He thought it desirable to put some limit to the inquiry, in order to prevent the enormous costs which were generally incurred in lunacy cases. As the costs, whatever the result, usually came out of the estate, there was a great temptation to bring a host of witnesses to speak to immaterial facts. In ordinary cases a limit of two years would not be prejudicial, and in exceptional cases the Judge might, at his discretion, permit the inquiry to be extended. In his opinion it was a salutary provision, and he should with confidence support it.

Mr. MALINS said, he could conceive cases where it would be necessary to go back beyond two years. No doubt they were practically asked to legislate upon a particular case, and he admitted that in that case (Mr. Windham's) the inquiry was needlessly extended into matters alleged to have occurred ten or twenty years before; but that was no reason why they should lay down a rule that nothing should be inquired into of a date beyond two years preceding the inquiry. He should support the Amendment.

Mr. BUTT said, that to legislate on the particular case of Mr. Windham would be to illustrate the maxim that hard cases made bad law. He had had some experience in lunacy inquiries, and he only recollected one instance in which evidence of acts prior to two years before the date of the inquiry was not of vital importance. He had the strongest objection to the limitation; and as to the proviso, "unless the Judge should otherwise order," the discretion, even of an eminent Judge, often meant caprice. He could understand a general enactment that in all cases where sanity was in question, the evidence should be restricted to a period of two years; but it would be an anomaly in the English law to say that the limit should apply in lunacy inquiries and not upon issues in civil and criminal cases, where the state of a man's mind when he did a particular act came incidentally in question. It was new to provide that what would be evidence in one case would not be evidence in another, and it seemed strange to allow evidence to prove sanity without any limit in the same case in which no evidence beyond two years in proof of insanity could be given.

The ATTORNEY GENERAL said, he hoped that the Committee would not adopt the Amendment. The hon. and learned Gentleman (Mr. M. Smith) complained that the Bill, as it stood, would exclude evidence which might lead to the elucidation of truth; and though limitations of that kind might occasionally have that effect, the case before them was just one of those where obvious advantage was obtained by breaking through a general rule. It had been found that these matters had a tendency to run to greater lengths and to become more comprehensive than the requirements and justice of the case demanded, and the proposal was intended to cure that evil. It was a mistake to suppose that it was a result of the Windham inquiry, although that case was an extraordinary instance of the length to which these cases might extend. There was no particular charm in the term of two years, but it was a convenient term to fix; and if it should appear in the course of the inquiry that evidence ought to be taken beyond that limit, it would always be in the power of the Judge to receive it. There was no analogy between trials of that kind and cases of criminal lunacy, or of wills disputed on the ground of lunacy, because the question to be decided in these trials was, whether the alleged lunatic was *compos mentis* or not at the time of the inquiry.

Mr. BOVILL said, he thought that great mischief would arise from limiting the inquiry to two years, and in civil cases great additional expense would be occasioned from the adoption of the clause. Would the Home Secretary be satisfied to discharge any of the criminal lunatics now in Bedlam, because they had shown no signs of mental aberration during the last two years? That would be a most dangerous course; and how were they to determine the existing state of a man's mind except with reference to facts and circumstances which might have occurred long antecedent to the inquiry—facts, which in cases of doubt and difficulty, frequently ranged over the greater part of a man's lifetime, or, at all events, for many years before the inquiry was instituted? In cases of nicety, it became of extreme importance to trace the origin of delusions, and so to determine whether they were delusions or not. Were they to exclude the fact of a man having been in a lunatic asylum for some years prior to the date of the inquiry? Whatever might be said on the score of expense, he was of opinion that the better plan would certainly be to strike out the clause, and leave the matter to the discretion of the Judge who was to conduct the inquiry.

Mr. J. POWELL said, he thought it would be found that in most cases there would be no reason whatever for extending the inquiry beyond two years. If it should happen that a case of difficulty arose, and it were clear that there were anterior facts which would throw light upon the state of mind of the subject of the inquiry, then it would be competent to the Court to allow additional evidence to be brought forward. But as he did not suppose that there would be any difficulty in the working of the clause, he would support it.

Mr. MONTAGUE SMITH observed, in reply, that he felt so strongly on the subject, that he would divide the Committee upon it.

Sir GEORGE BOWYER said, there appeared to be some confusion as to the different purposes in regard to which sanity was made a subject of inquiry. In criminal cases the question was, whether at the time the act was committed the person was capable of distinguishing between right and wrong. With reference to the execution of an instrument the question was, whether he was capable of knowing what he was about at the time of executing it. And the third case was, whether a person was or was not capable of managing his own affairs. There appeared to him to be a great deal of good sense in a limitation as to time, whether two years was fixed upon or not, because a man might be put to an expense which would amount to a confiscation of his property if the inquiry were permitted to range over, perhaps, the whole period of his life.

Mr. M'MAHON said, he was of opinion, that as the inquiry was to take place before a superior Judge, there was no occasion for the limitation proposed by the clause.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* —Ayes 86; Noes 50: Majority 36.

Mr. BUTT said, he would then move an Amendment, to the effect that the Judge should be bound to receive all the evidence which in the course of the inquiry should be found to be material and relevant to the issue, although it extended over a longer period than two years.

The ATTORNEY GENERAL said, he must oppose the Amendment.

Amendment *negatived.*

Mr. MONTAGUE SMITH said, he then proposed the omission from the clause of the following words:—"nor shall the opinion of any medical practitioner be admissible as evidence of the insanity of such person." He objected to the exclusion of the evidence of medical men, who were best able to form a judgment on the case as to the insanity of a person, while it would be perfectly admissible as to the sanity of the individual.

Amendment proposed, in page 2, line 21, to leave out from the word "direct," to the end of the Clause.

THE ATTORNEY GENERAL said, the operation of the clause would not, practically speaking, be to exclude the evidence of medical men who had seen, examined, or conversed with an alleged lunatic, but rather to shut out medical testimony of a merely speculative and theoretical character. The result of medical evidence, as produced under the existing law, was, owing to the conflict of opinion amongst the witnesses, calculated to perplex the jury rather than otherwise. Such evidence was therefore useless, while it was very expensive; and the words to which the hon. and learned Gentleman objected would put an end to a practical grievance.

SIR HUGH CAIRNS said, that he was perfectly perplexed by the explanation of the hon. and learned Gentleman. The hon. and learned Gentleman had stated that the clause was never meant to exclude the evidence of a medical witness who had seen or examined the person as to whose state of mind inquiry was instituted, so that it must therefore be understood as excluding only the evidence of medical men by whom he had never been seen or examined. But the fact was that the law as it stood excluded such testimony for all practical purposes, so that the Committee need not be under any apprehensions on that score. In the absence, then, of any definite information on the subject, he must assume that the clause was meant to operate against the admissibility of any medical evidence whatever in cases of insanity. Now, what, he should like to know, would the effect of such an enactment be? It would, at all events, leave unremedied the anomaly, that while medical evidence would not be allowed before a jury, the certificate of a medical man would be held sufficient to procure the confinement of a person for alleged unsoundness of mind; so that, while professional opinion was allowed in the one instance to prevail, it was to have no weight whatever in the other. More than that, the testimony of a crossing-sweeper or a cab-driver was to be admissible under the operation of the clause, while that of the only person who would, perhaps, be able to give a sensible answer on the subject of inquiry, would be set aside. Such a proposal the medical profession looked upon as a gross insult to their body, as had been demonstrated by a petition to the House praying it not to pass the clause. Would it not be better to say, if any doubt as to the law were supposed to exist, that the opinion of a medical practitioner who had not seen or examined the subject of the inquiry should not be admissible as evidence of his state of mind?

THE SOLICITOR GENERAL said, that the question was as to the proper mode of carrying out an object which they all agreed in thinking desirable. The Lord Chancellor had expressly stated in the other House that the clause had not been framed to exclude medical testimony—that it did not shut out the evidence of what a medical man had himself seen and observed, but only his speculative opinion upon certain assumed facts. If the words of the clause were allowed to stand, other words might be appended which would prevent any misunderstanding. Some words like the following, for example, might be added:—"Unless such opinion be founded on the nature and character of any symptoms of mental disease which such medical practitioner has himself witnessed by attending and examining such person." At present a medical man was told what had been stated by other witnesses and in affidavits, and he was allowed to give his opinion as to a variety of facts that had not fallen under his personal observation.

SIR HUGH CAIRNS said, he would defy either of his hon. and learned Friends the Attorney and Solicitor General to show that medical men had ever been allowed to give evidence as to the conclusions they would draw from facts stated by other witnesses or in affidavits. That was the province of the jury alone. The Windham case had often been referred to as an example of a great abuse; but in that case evidence of the kind struck at by the clause had been offered, objected to, and excluded. The same thing occurred in a well-known case over which the late Lord Chancellor presided, and also in a criminal trial in which the late Baron Alderson sat as judge.

MR. BUTT said, it had been decided by the House of Lords that a scientific witness might be asked what, assuming such and such evidence to be true, was his opinion as a scientific man or expert upon that evidence. He thought that on referring to the third section the Attorney

General would find that it only limited the evidence to be given at a preliminary inquiry, and not on the traverse. Surely it would be an anomaly to conduct the preliminary inquiry and the traverse by different rules of evidence; and, in order to avoid it, he would prefer that the inquiry should be conducted in accordance with the rules of common law as to evidence.

MR. MALINS said, that if the object of the clause under consideration was to exclude all scientific evidence, that ought to be done under another form. Why was a medical man, who of all persons in the world had the best opportunity for observation in such cases, to be excluded? Such an exclusion was in contradiction to all the principles of administration of justice, and he hoped the Committee would strike out that part of the clause.

THE ATTORNEY GENERAL said, he found that there was some ambiguity in the words to which the hon. and learned Gentleman the Member for Youghal (Mr. Butt) had drawn attention, and the question raised by the hon. and learned Gentleman should be considered. He thought the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns) was not warranted in saying that under no circumstances was a medical man who had not examined nor seen the alleged lunatic allowed to give evidence in the case. The opinion of the judges in the well-known case cited by his hon. and learned Friend the Solicitor General was against the form of question put to a medical man under such circumstances, and not against the examination of such a witness; which form they said might sometimes be convenient, though it could not be insisted on as a matter of right. It had been said that the opinion of a medical man who had not seen the alleged lunatic was not admissible. He held, on the contrary, that provided the questions were put in a certain form, they were clearly admissible.

SIR HUGH CAIRNS said, no doubt a medical man might fairly be asked, "Supposing a person thinks himself a china teapot, what is your opinion as to the state of his mind?" Such evidence was admissible, and he objected to the clause, because it pointed in the contrary direction. In the case of an inquiry into the sanity of a testator, it was impossible that the person could be brought before the Court. The result of the Bill would be to introduce half-a-dozen different modes of investigation and half-a-dozen kinds of evidence.

MR. ROLT said, he hoped the Committee would cautiously abstain from interfering with the rules of evidence, which were founded on common sense, and were universal in their application. One of those rules was that experts might be asked their opinion upon undisputed facts. The clause proposed to introduce an exception to that general rule. He saw no reason for such interference, and thought the Committee would do well to leave the law as it stood.

MR. J. POWELL said, he was of opinion that the clause was not calculated to remedy the evil which it was intended to meet. The evil complained of was the great delay, expense, and inconvenience which arose from calling great numbers of medical men as witnesses. It appeared to him that the simple remedy would be to allow the professional witnesses to be nominated by the Court.

MR. HENLEY suggested, that as the hon. and learned Solicitor General had stated that the words as they stood did not express the real intention of the Lord Chancellor, they should be expunged; and that new words, calculated to remove the inconvenience alleged to exist, should be printed, and reserved for further discussion. There were close upon 30,000 people at present under confinement on the ground of lunacy. All these persons were shut up upon the certificates of medical men. He hoped the Government would take care that they were not put under restraint upon opinions which would not be admitted in the case of richer patients.

MR. BOVILL said, he did not understand why they should exclude from the consideration of a jury the evidence of those on whose testimony the Secretary of State and the Lord Chancellor were accustomed to rely in deciding questions affecting the sanity or insanity of individuals and the protection of the public. He should oppose the proviso suggested by the hon. and learned Solicitor General, because it would exclude everything in the nature of evidence given by medical men which was not founded on their actual observation.

THE SOLICITOR GENERAL contended that care should be taken that no opinion was given in evidence which was founded on mere information which medical witnesses received from other people. He thought the words proposed were sufficient for the purpose, and it was not necessary to have them printed. Nobody could misunderstand them. They were these—

> "Nor shall the opinion of any medical practitioner be admissible in evidence on the sanity of any person unless such opinion shall be founded on the existence and character of any symptom of mental disease which he may have himself observed while examining or attending such persons."

Mr. WHITESIDE said, he thought the proviso a bad one. It was always dangerous to legislate in reference to a particular case, which they were now doing.

Mr. BUTT said, he always found that medical witnesses qualified the results of their own observation by what they might have heard to have been the previous history of the patient's case, and a variety of other circumstances.

Mr. MONTAGUE SMITH said, he thought it would be better to omit from the clause the words suggested by the hon. and learned Solicitor General. The right course of proceeding would be, if there was any inconvenience in the existing mode of taking medical evidence, to bring in a Bill defining how such evidence should be taken, and make the same rule applicable to all cases. He objected to such exceptional legislation.

Sir HUGH CAIRNS said, he trusted the Government would give the Committee an opportunity of seeing the words they proposed to add to the clause. If those words were found satisfactory on examination, there might, probably, be no question as to the words now under discussion. He hoped that progress would be reported.

Mr. WALPOLE said, it was admitted that the clause was not right as it stood, and the words suggested by the hon. and learned Solicitor General to be added would, he thought, introduce greater ambiguity than ever. If they wanted to make the law uniform, consistent, and intelligible, they ought not to create two different rules—the one appplicable to one class of persons placed under restraint, the other applicable to another. The Committee ought to have time to consider the qualification which the Government proposed to insert at the end of the clause.

Sir GEORGE GREY said, the division might be taken on the retention of the words in the clause; and if the Committee agreed to retain them, his hon. and learned Friend would not press his additional words until they had been printed.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided :* — Ayes 53; Noes 72: Majority 19.

Clause, as amended, *ordered* to stand part of the Bill.

Clause 4 (Inquiries before a Jury to be made by means of an Issue to one of the Superior Courts of Common Law).

Mr. HENLEY said, he wished to inquire whether the trial would take place in London, or a Judge be sent down to any place in the country where an alleged lunatic resided to take the trial?

The ATTORNEY GENERAL said, that as the trial would be before one of the Judges of the Superior Courts, the trial would take place in the Court, in Westminster in which the Judge presided, or the Lord Chancellor might direct that the trial should take place on the circuit in the spring or summer.

Mr. HENLEY said, he desired some more decided information upon the point. These questions could not wait six months for a decision, and it would be a very serious thing to bring witnesses up from Northumberland or Cornwall to London.

The ATTORNEY GENERAL said, he would undertake that the matter should be considered before the report.

Mr. WALPOLE said, that the new process would be more expensive than the old one; because if the Lord Chancellor, or the Lords Justices who represented him, differed from the Court which tried the issue, there might be a new inquiry. Why should not the Lord Chancellor himself try the whole case?

The SOLICITOR GENERAL said, that his right hon. Friend seemed to desire the abolition of trial by jury in these cases. [Mr. Walpole: No, no!] Under the Bill there would be no more trials than under the existing law.

Clause *agreed to.*

Clauses 5 and 6 were also *agreed to.*

Clause 7 (Shorthand Writer to be appointed).

Sir HUGH CAIRNS said, the clause provided for the appointment of shorthand writers to take notes of the proceedings in lunacy, and he wished to express his opinion, that the adoption of such a course would not save time or expense.

MR. ROLT said, he thought that the existing practice of the Judge taking down the pith of the evidence was the best that could be adopted.

THE ATTORNEY GENERAL observed, that the clause was permissive only, so that a shorthand writer would be appointed only where such assistance was thought necessary.

Clause *withdrawn.*

Remaining Clauses *agreed to.*

House *resumed.*

Bill *reported,* with Amendments; as amended, to be considered on *Thursday,* and to be *printed.* [Bill 208.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Tuesday, July 15, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Parochial Buildings (Scotland); Savings Banks (Ireland).
2ª Poor Relief (Ireland); Industrial and Provident Societies.
3ª Leases and Sales of Settled Estates Act Amendment; Jurisdiction in Homicides; Chancery Regulation (Ireland).

POOR RELIEF (IRELAND) BILL.

[BILL NO. 166.] SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF NEWCASTLE, in moving the second reading of this Bill, said, that the laws at present in force in Ireland with respect to the relief of the poor was comprehended in a series of enactments, commencing in 1838, and ending in 1851 with the Medical Charities Act. Since 1851 several successive Chief Secretaries had introduced various measures for altering or amending the law—in fact, since 1854 scarce a Session had passed without some effort being made having that object; but nothing had been done. He believed that, upon the whole, the existing law had been well administered, and had given satisfaction both to the poor and to the landed proprietors. But it was naturally to be expected, that as time passed considerable defects would be discovered in regard to the working of such a law, and these defects it was the object of the present measure to remedy. Last year the whole subject was referred to a Select Committee of the House of Commons. That Committee had conducted a lengthened inquiry, and had made a Report containing numerous recommendations, most of which had been embodied in the Bill he now submitted to their Lordships' consideration. The alterations proposed might be classed under three principle heads. Their Lordships would, no doubt, recollect that in the measure of 1847 a clause, proposed by the hon. Member for Galway (Mr. Gregory), and called "the Quarter-Acre Clause," was adopted, by which it was enacted that the guardians of unions should not give relief to any person who held land to the extent of a quarter of an acre. This proposition was adopted in the belief that some such restriction was required, in order to prevent landowners and occupiers from being unduly pressed. He was not prepared to say that that clause was not a perfectly wise and prudent one at the time it was passed; but its operation at the present day was harsh, and he apprehended their Lordships would agree with him that the clause ought to be repealed, and the law in that respect placed on the same footing as it now stood in England and Scotland. The present restriction was harsh in its operation, and did not provide that amount of security against an improper administration of the poor laws in Ireland which was contemplated. The second point to which he would refer, showing that the present administration of relief in Ireland was faulty, related to the hospital system. The law was, that no person should be admitted into the workhouse hospitals who was not destitute. In the Act of 1843 there were clauses which had worked admirably; and the object of the hospital clauses in this Bill was to enable a class of persons, not the very poorest, to obtain admission into these hospitals, but they would have to pay some portion of the expenses. The Bill further provided, that if persons able to bear the whole cost of their maintenance entered these hospitals, they should not therefore, if voters, lose their franchise. There was no provision in the Bill which interfered with county infirmaries, nor was there any desire to do so. It had been clearly shown by the Report of the Medical Charities Commissioners, that these county infirmaries, however useful in themselves, were inadequate to the wants of the people; and, so far from any interference with them being contemplated, power was taken in the Bill to send persons from the union hospitals to the county hospitals. The third point which he would notice was the relaxation made by this Bill in favour of orphan and destitute children. It had been found that indigent children were, under the present law, obliged to remain in workhouses too long a period, and that that caused a great amount of mortality among them ; in some places as high as 50 per cent. There were clauses in the Bill which would enable guardians to put these children out to nurse up to a certain age. A great discussion had taken place in the other House in regard to the limit, but ultimately it was agreed that it should be fixed at five years, with power to the guardians in certain cases to increase it to eight years. If the limit should be placed at twelve years, it would be departing from the object of this clause, which was purely one of a sanitary character, and it would be making it a clause of an educational character. The remaining clauses of the Bill related to minor regulations, which could be considered at a future stage. He hoped that their Lordships would not object to the second reading of the Bill.

Moved, That the Bill be now read 2ª.

THE EARL OF CLANCARTY: * My Lords, I fully concur in what has fallen from the noble Duke regarding the operation of the Poor Law in Ireland. It was, undoubtedly, the most important measure ever enacted for the social amelioration of the Irish people ; and to the noble Earl opposite, the Secretary of State for Foreign Affairs, the utmost credit is due for having originated it. I am happy also to express my concurrence in those provisions of the Bill now before the House to which the noble Duke has particularly referred ; but the noble Duke has omitted to notice some most important, and, at least, one most objectionable provision, which I am therefore sure he has not examined. The Bill, in fact, contains new and important principles, which require to be the more carefully and impartially examined into, as, although introduced under the auspices of Government, it is the production rather of a Select Committee of the House of Commons than a measure prepared and brought forward by the responsible advisers of the Crown. I will, therefore, briefly draw your Lordships' attention to some of its principal provisions. It opens with a clause modifying the existing law with respect to the chargeability of paupers. The tendency is towards the principle of union rating, which many object to. I confess that any objection I entertain to the clause is, that it stops short of union rating for the cost of all cases of destitute poor persons relieved in the workhouse. The law as it now stands is very unjust to the ratepayers in towns, and affords an undue advantage to the proprietors of rural districts; who are enabled, by limiting the occupation of their lands to solvent farmers, and to so many only of the labouring class as are necessary for the cultivation of the soil, to cast the chief burden of the poor rate upon town districts. No blame can attach to landlords, but rather credit that they endeavour to have their lands profitably occupied ; but as this has not been effected, and could not be without the removal of redundant population, wherever, on the falling-in of old leases, that evil had to be dealt with—and as the practice has commonly been to make pecuniary compensation to the families so removed, these have usually resorted to the towns, where alone they could find accommodation. The consequence has been, that after a time, on their becoming destitute, the burden of their support has been charged upon the locality to which they have resorted, instead of upon the division from whence they came. The chief cause of destitution is the excess of population beyond the means of employment. It has been an evil common to town and rural districts, and the burden should be shared by both alike. A different rule should, however, apply to the cost of medical relief. Each division, having a direct interest in the health and helpfulness of every one of its inhabitants, should be separately charged for it ; and as such relief is most economically administered where it is most efficient, every inducement should be held out to the local guardians to look to it, as well as to prevent the abuses to which otherwise it would be liable. Any kind of outdoor relief also should be strictly chargeable upon the divisions within which it is administered. With regard to the proposed repeal of what is called the Quarter-Acre Clause, I regret to say that it is a step fully justified by the experience of the severe sufferings and privations of many small landholders in the last three years of excessive wet, causing the loss of the greater part of the food on which they counted for the support of their families. A Poor Law cannot be regarded as complete while any class of destitute persons—such as many of these have been of late—is unprovided for. Some provision ought, however, to be made on behalf of the ratepayers, that the land in the occupation of persons receiving relief as destitute poor should not be exempted from the poor rate. The Bill contains no such provision. I trust, therefore, the subject will receive the consideration of the Government. If the principle of limitation might still be preserved, it might solve the difficulty to confine the relief of persons in the occupation of land to those whose holdings, being valued under £4 a year, have their poor rates paid by their landlords. The next five clauses, which relate to the administration of medical relief, are, in my judgment, a great improvement upon the existing law; and I trust that, as the advantages of hospital treatment for the sick poor become more apparent, the present dispensary system, which is good in theory, but in practice of very little value, will be in a great measure superseded. The 10th clause, which regards the maintenance of bastard children, is the introduction of a new and important principle into Ireland. It cannot be denied that the present law, by which the unfortunate mothers are alone responsible for their illegitimate offspring, is very unjust to the weaker sex, and holds out to the seducer of innocence all the encouragement of perfect immunity. It operates also as a hardship upon the ratepayers, upon whom is commonly cast not only the cost of maintaining and educating illegitimate children, but also that of supporting their wretched mothers, who, owing to loss of character, often remain permanent inmates of the workhouse. The objections to the measure are twofold — on the one hand, by exonerating the women from their present responsibility for their offspring, it is to be feared that they may the more easily become the victims of seduction; and on the other hand, the temptation will be presented to the mothers of bastard children falsely to affiliate them, thus giving occasion for demoralizing investigations not unfrequently of a nature to disturb the peace and happiness of domestic circles. Great, however, as are these objections, I do not think they outweigh those that exist against the present law. I therefore hope this clause may be enacted. I regret to say that to the next—the 11th clause—which, as well as the preceding one, the noble Duke has not noticed, I must offer my decided opposition. It is designed to settle the question—In what religion a deserted child of unknown parentage should be educated? The common law has been by the most eminent lawyers declared to be that such poor children, being under the guardianship of the State, should be brought up as members of the Established Church; and such has been uniformly the practice in Ireland as well as in England until of late, when, it appears by the evidence of Mr. Power, Chief Commissioner of the Poor Law, taken before a Select Committee of the House of Commons, that the practice was objected to, and had been departed from in some of the Irish Poor Law unions. By this clause it is proposed, in favour of such objections, to set the common law aside by an enactment to the effect that every deserted child shall henceforth be brought up in the religion of the person, whosoever he may be, by whom it is brought to the Workhouse, which person is described in these terms:—"the person lawfully having care and possession of the child last before its admission to the workhouse." It is difficult to conceive how any person could unlawfully take possession of a deserted infant to convey it to the nearest workhouse; but this laboured description of the person performing the simplest act of humanity was introduced probably with the view of investing him with peculiar attributes and seeming qualifications for the position of the child's guardian—namely, the having had lawful possession and care of it, although such possession and care extended no further than to take the most ready means of getting rid of it without committing a crime. The proposition of making a child's religion to depend upon what might be the religious creed, if any, of the person presenting the child at the workhouse, originated, it appears, with Mr. Poor Law Commissioner Power, who alone was examined upon the subject before the Select Committee of the House of Commons. It may naturally be asked, what was the justification, what the public grounds for making such a recommendation? I will, with the permission of your Lordships, read the portion of his evidence in which he gives his reasons for the proposed alteration of the law. He is asked, in Question 911—

> "What is the law of the land upon the subject? —As explained by Mr. Blackburn when he was Attorney General, his opinion being agreed in by

Mr. Brewster, when he was Attorney General, the law of the land is, that a child, of whose parents the religion is not known, shall be brought up in the religion of the State."

915. "The law of the land being as you have described it, what is your reason for proposing to alter it?—A great deal of difficulty has been found in enforcing that state of the law. The guardians of a great many of the unions, not of all the unions, but of a large majority of them, are very much dissatisfied with that arrangement, because they think that instances occur where the parents of the child are probably Roman Catholic, and they object to permit it to be registered a Protestant. Upon that fact they stand, and enter the religion accordingly in the register. The way to vindicate the law is to proceed by *mandamus* against the board of guardians in those cases. We have attempted to do it; but, as it is stated in one of our reports, 'difficulty has been experienced in carrying out the law in some of the Unions in Ireland, the guardians objecting to permit a child to be registered as a Protestant in the face of a strong probability that the parents deserting the child were Roman Catholics. In such cases the mode of compelling the adoption of the legal course is an application for a *mandamus* to the Court of Queen's Bench; but it frequently happens in such cases that the child's death prevents the process being commenced, or carried through; and such is the strength of popular feeling upon the subject, that if at any time it seemed probable that process was about to issue compelling the guardians to alter the religious denomination of the register, arrangements would be made to remove the child from the workhouse, and maintain it elsewhere.' That has occurred in individual cases. They have been taken away. 'Under these circumstances, it appears desirable that some further legislation should take place on the subject, and we trust that whatever course Parliament may in its wisdom adopt, will have the effect of removing an irritating topic of discussion from the boardrooms of the guardians, and placing the law on a clear and definite basis, and one which will ensure a willing acquiescence in its provisions by those who are called on locally to administer it.'"

917. "Do you consider that the law on that subject is not clear and definite at present?—I doubt whether we could succeed: we never have. We have never succeeded in enforcing the law, and I doubt whether we could succeed in obtaining a *mandamus*. I know there is a difference of opinion among eminent lawyers on the subject."

919. "Then, if the law of the land be understood to be as you have described it, and if, as your report says, there is something indefinite or not clear in the state of the law, do you not think that the proper remedy would be to place the law on a clear and definite footing, and pass an enactment on the subject?—Yes, we wish for some enactment."

920. "Would it not be an alternative method, and more in accordance with the law of the land, by this section to enact that all deserted children should, up to the proper period, be brought up in the religion of the State?—That is an alternative, no doubt."

921. "Which is the simplest in your judgment?—We have finally determined on recommending this course.

The Earl of Clancarty

Now, I do not hesitate to say, that such evidence, and we have none other, affords no warrant whatever for an alteration of the law by which the religion of the National Church would be set aside. Although more serious objections might be urged against such a step, it should not be forgotten that by the Act for the Union of Great Britain and Ireland it is expressly set forth, as an essential and fundamental condition, that the United Church of England and Ireland should be upheld and preserved in all respects as one Church in government and discipline, as well as in doctrine and worship, as then by law established, and that, therefore, to introduce into Ireland a different state of the law affecting it from that which exists in England might be a violation of a solemn compact. But I also question the accuracy of Mr. Power's evidence as to the objections that he says have been raised by a majority of the boards of guardians against the existing law. Until I read his statement I never heard of any serious difficulty being made about complying with it. Ever since the Poor Law has been in existence, I have presided over an extensive union in the West of Ireland, where the great majority of the population is Roman Catholic, and I can assure the House that no such difficulty ever arose there. The question, I believe, was once raised as to the religion in which foundling infants should be baptized; but when the law was declared, it was readily acquiesced in; and it is further remarkable, that in the three different Parliamentary inquiries that have taken place into the working of the Poor Law, no complaint was made, nor evidence given, of any resistance to the baptizing of foundlings in the religion of the Established Church. But supposing such objections now to have arisen, even to the extent represented by Mr. Commissioner Power, and the existing law to have been resisted by a majority of the boards of guardians, for the reason stated—that the parents of any deserted children were most probably Roman Catholics—the proposition in the Bill does not meet the difficulty; for the person conveying a deserted infant to the workhouse may be a Protestant, and still the parents who left their offspring to perish, but whose religious principles are so highly prized, were, as suggested, probably Roman Catholics. It seems also to have been overlooked, that by possibility the bringer of the child might be a Jew or a Mohammedan, or a person of no religion at all.

What, in any such case, is to be the religion of the poor ward of the State? What, in the case of more frequent occurrence, of the deserted child being found at the workhouse door, when the person last in what is called lawful possession and care of it cannot be discovered? The proposition contained in this clause as a settlement of the question is, I must say, alike as utterly absurd as it is upon every ground unwarrantable; and I am not surprised that the noble Duke should have abstained from saying one word in support or explanation of it. From Mr. Power's evidence all that I can gather is, that the Poor Law Commissioners dread to incur unpopularity with a portion (and, although it makes much noise, I believe it to be but a small portion) of the Roman Catholic body inveterately opposed to the Protestant Establishment, and have therefore never seriously attempted to do their duty by availing themselves of the resources at their command for enforcing, in the cases referred to, a compliance with the law. I trust the House will not countenance them in giving encouragement to those boards of guardians which, according to their report, have set the law of the land at defiance, but will either reject the clause altogether, or, if the common law should be deemed insufficiently clear, so amend it as to make it simply declaratory. I cannot, for a moment, believe that your Lordships, on consideration of the nature of the proposed enactment, will concur with the Poor Law Commissioners in regarding the question of the religion in which a deserted child, cast upon the guardianship of the State, should be brought up, as a matter of such absolute indifference as to be made to depend upon the mere chance of what might be the religion, if any, of the person by whom it is conveyed to the workhouse. I am aware that, in discussing the subject in another place, these poor children were spoken of as "miserable outcasts of society." Your Lordships will, I trust, acknowledge them as your fellow-creatures—the equals with yourselves in the eyes of God, and as having peculiar claims upon your protection from their very destitution and helplessness. It is under this aspect that their interests should be considered. No one will deny that a guardian acting *in loco parentis* should act in the best manner he can for the religious and moral training of his ward. If that be so, surely, then, the State should not be wanting in its duty towards such poor children as are cast on its guardianship—to provide that they should be educated in the tenets of that faith which it upholds as being based upon the Word of God, and which your Lordships and the right rev. Prelates will not deny to be the best-calculated to exercise a beneficial influence for time and for eternity upon the character and life of every one by whom it is heartily embraced. Would any parent professing what he so believed to be the truth act otherwise? Would any Christian parent be justified in leaving the religion of his child to be determined by the first person he might happen to meet? Yet by such a chance it is proposed that the fate of the poor Irish orphan or deserted child should be governed. Your Lordships will, I feel assured, not allow the existing law to be set aside, in favour of an enactment framed in such entire disregard both of the established religion of the country and the best interests of the most dependent class of the community. I will only trouble your Lordships by noticing one more clause—namely, that by which the Poor Law Commission is re-appointed. It is made to include the Chief and Under Secretaries to the Lord Lieutenant. Now, my Lords, as it is impossible that these gentlemen can apply themselves to the business of the Commission, it would be much better that their names were left out. The Lord Lieutenant is the authority to which the Irish people naturally turn for protection when they conceive themselves to be aggrieved by malpractices in any public department; and whatever is done, or whatever answer is returned, it is usually through the Chief or Under Secretary. But how can the Lord Lieutenant be referred to with confidence, in any difficulty arising between the public and the Poor Law Board, if his Secretaries are themselves members of the Commission? The inconvenience has been very seriously felt; and I trust, as I suggest that their names should be omitted with no other object than that of beneficially amending the existing law, the subject will receive the consideration of the Government. I now leave the whole subject with your Lordships, only thanking you for your indulgent attention to the remarks I have taken the liberty of bringing under your notice.

THE EARL OF LEITRIM rose to move an Amendment that the Bill be read a second time that day six months. The measure came before their Lordships in a manner that deserved to be marked by the signal dissatisfaction of the House. He entreated their Lordships not to pursue a vacillating and one-sided policy towards Ireland. By this Bill rich convents and monasteries were exempted from the poor rate. Why should this be? He wished to know whether the people of Ireland were the subjects of Queen Victoria or of the Pope. The clause with regard to deserted children was absurd and unjust; because, while care was taken of such children, nobody would be bound to look after them under this Bill. The poorhouses of Ireland would become so many monasteries and convents. The policy of the noble Earl (the Earl of Clarendon), whilst Lord Lieutenant, was the cause of the present unfortunate state of things in Ireland, for before his time the Roman Catholic bishops of that country were elected by the priests, but now they were nominated in reality by the Pope. He should like to know how the noble Earl reconciled his correspondence with the Pope to his oath of allegiance. The Bill was destructive of the rights and liberties of the people of Ireland, and calculated to introduce discord into the country, and therefore he should move that it be rejected.

Amendment *moved*, to leave out "now," and insert "this day six months."

THE EARL OF BANDON was understood to oppose the Bill, on the ground that it went on a wrong basis altogether.

VISCOUNT DUNGANNON thought it possible that there might be some portions of this Bill which would be advantageous, though he must protest against some of the clauses. The clause which was to regulate the religion of foundlings was not only iniquitous, but absurd. It was ridiculous to enact that such children should be brought up in the religion of the persons who happened to find them. The clauses, also, which referred to the conversion of poorhouses into hospitals, in his opinion, required serious consideration.

LORD MONTEAGLE agreed that the medical portion of the Bill required further consideration, for their Lordships should be very careful not to do anything which would injure the admirable medical system which at present existed in Ireland. The medical and surgical schools of Ireland were most excellent, and he feared that the provisions of this Bill would do more to injure them than could be repaired in a century.

THE EARL OF DONOUGHMORE thought that the measure ought to be read a second time, in so far as it carried out the recommendations of the Commons' Committee of last year; but the hospital clauses were not in accordance with the recommendations of that Committee; and, indeed, the Committee reported that further evidence was desirable upon that matter. The practical effect of the hospital clauses would be to destroy the county infirmaries which already existed, and which were found so advantageous, because the infirmaries would not be kept up if there was an hospital in each union. The Government, if necessary, should extend the infirmary system; but surely they should not, by establishing a new system, destroy that which already existed. He gave the Government credit for attempting to deal with the question of deserted children, though he thought it absurd that the religion in which the children were to be brought up should be a matter of hap-hazard.

THE EARL OF DESART was understood to support the second reading of the Bill.

Amendment (by leave of the House) *withdrawn:* Then the original Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at half-past Seven o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday July 15, 1862.

PAROCHIAL ASSESSMENTS BILL.

[BILL NO. 144.] COMMITTEE.

Bill *considered* in Committee:—

(In the Committee.)

Clauses 26 and 27 *agreed to.*

Clause 28 (Contributories to the common Fund).

MR. SERJEANT KINGLAKE said, he would move a proviso to the effect that the annual value of the Government property in any parish should be excluded in the valuation lists, so that it might be rated for the purposes of the common fund. The Government annually called upon the House to vote a sum of £35,000 for rates upon Government property, and that was equivalent to a rateable value of £300,000. It was therefore of importance that that property should contribute to the common fund.

Mr. C. P. VILLIERS said, he thought the Amendment was founded on an equitable principle, and he should be ready, on the part of the Government, to accept it.

Mr. HENLEY remarked, that the exception of Government property from contribution at present bore very hard upon many parishes where such property was situated.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 29 (Copy of Valuation Lists to be deposited in Board Room).

Mr. HENLEY said, he objected to the provision directing that a person requiring to view the rate-book in an adjoining parish should be charged a fee of 1*s.* for doing so. Such a person was as well entitled to look at the rate-book free of charge as to inspect without payment of a fee the rate-book in his own parish.

Mr. C. P. VILLIERS said, he proposed to remove the objection by the insertion of words empowering overseers of any parish in the union to inspect the rate-book in an adjoining parish free of charge.

Amendment *agreed to.*

Clause *agreed to;* as were the remaining Clauses.

Sir EDWARD LACON said, he wished to move to insert a clause, enacting that the owner, instead of the occupier, should be rated at the option of the board of guardians in cases where the annual value of the premises did not exceed the sum of £6.

Mr. C. P. VILLIERS said, he thought the effect of the clause would be to disturb what was generally understood to be the law. Moreover, the object was effectively provided for by the general Act.

Clause *negatived.*

Mr. Serjeant KINGLAKE said, he would then move the insertion of a clause, empowering the overseers who should have reason to think that their parish was aggrieved by the valuation list, to appeal to the justices of the peace for the county in which the parish was situate at any quarter sessions holden a month after the allowance of and the deposit of the valuation list. The whole object of the Bill was to preserve uniformity of rating as regarded individual ratepayers in a parish, and also in respect to the parishes themselves. The right of appeal was, however, given as between individuals, but was not given to one parish as against another.

Mr. HENLEY said, that many unions were in two counties. One union in his own county had parishes in four counties. The present clause was in the right direction; for it was absolutely necessary to have some provision to equalize the rating of parish as against parish. He only doubted whether the clause went far enough. Would it not be desirable that there should be some one definite quarter sessions fixed upon for appeals from the same union? Suppose, for example, there should be cross appeals by parishes situated in different counties but in the same union; a parish in Oxfordshire might appeal against a parish in Northamptonshire, and a parish in the latter county might appeal against a parish in Warwickshire, and each of these quarter sessions might come to a different conclusion.

Mr. Serjeant KINGLAKE said, he agreed that it was very desirable there should be a fixed quarter sessions in each union to which the appeals should go. He would propose, with the consent of the Committee, to alter his clause by inserting words providing that appeals should go to the quarter session of the county "in which the workhouse of the union is situate."

Mr. C. P. VILLIERS remarked that in the case of appeals against orders of removal the tribunal was the quarter sessions of the county in which the appealing parish was situated; that had worked well, and he saw no reason why the same practice should not be followed in that instance.

Mr. AYRTON said, that the existing practice would not meet the case of cross appeals.

Mr. HENLEY said, he thought it desirable that the quarter sessions to which appeals should go should be in that county in which the majority of the parishes in the union were situate.

Mr. DODSON said, he would move that an appeal should lie to the quarter sessions of that county or borough in which the greatest number of parishes belonging to the union were situate.

Mr. LEVESON GOWER said, he wished to ask what would be done in cases where there was an equal number of parishes in each county?

Mr. Alderman SIDNEY said, he objected to the principle of the clause. He saw no necessity for an appeal against the decision of the assessment committee to the quarter sessions. If an appeal were necessary, it could be made to the central board in London.

Mr. PULLER said, he objected to the clause altogether, as he deemed that the machinery provided by the Bill for the valuation was far better for determining such questions than the previous machinery, and certainly much more so than the quarter sessions.

Mr. HENLEY said, it would be well to ascertain if there were an equal number of parishes situated in different counties in any one union. If so, it would be easy to determine the question in such cases by carrying the appeal to the quarter sessions of the county in which the poorhouse was situated.

Mr. C. P. VILLIERS said, he would make inquiry, and, if necessary, propose a clause to meet the case.

Clause, as amended, *agreed to.*

Mr. BEACH said, he would then move a clause disabling any justice of the peace who had acted as a member of the board from sitting on an appeal made against a rate based on a valuation list approved by the board.

Mr. C. P. VILLIERS said, he thought great practical inconvenience would ensue if the clause were adopted.

Mr. HENLEY said, that in the case of levying the county rate, which was most analogous to that under consideration, the justices who were parties to the levying of the rate were not precluded from taking part in hearing an appeal.

Clause *negatived.*

Mr. HOWES said, he wished to move a clause regulating what should be the definition of "gross estimated rental."

Mr. C. P. VILLIERS said, he would not oppose the clause, though he did not think it would work much good.

Clause *agreed to.*

Mr. AYRTON said, that as the committees under the Act were to discharge judicial functions, he thought that their proceedings ought to be open to the public. He would therefore move to add the following clause:—"That every meeting of any Committee under this Act shall be held, and the proceedings thereof conducted, in public."

Clause *brought up*, and read 1°.

On Motion, "That the clause be read a second time,"

Mr. Alderman Sidney

Sir BALDWIN LEIGHTON said, he could not see why the proceedings of the committee should be public, when the proceedings of the boards of guardians were not so.

Mr. C. P. VILLIERS said, it would be better to leave the committee a discretion. The boards of guardians admitted reporters at their discretion, and no complaint had reached him of the present practice. He saw no occasion for the clause.

Question put, "That the clause be read a second time."

The Committee *divided:*—Ayes 28; Noes 63; Majority 35.

House *resumed.*

Bill *reported;* as amended, to be considered on *Thursday*, and to be *printed* [Bill 210].

TREASURE TROVE.—QUESTION.

Sir JERVOISE JERVOISE said, he wished to ask the Secretary to the Treasury, Whether the Notice giving the public full information as to the intentions of the Lords of the Treasury in regard to Treasure Trove, and which, as was stated in a Circular addressed to the Chief Constable of the County of Hants, dated Whitehall, January 9, 1861, would probably be shortly issued, will be issued; and if so, when?

Mr. PEEL said, the draft of the amended notice relating to treasure trove, what it was, and what the finders should do, was prepared in the beginning of last year, and was sent to the office of the Treasury. A question then arose as to the propriety of issuing such a notice at all, and the subject dropped. He would, however, communicate with the Solicitor to the Treasury, in order to ascertain whether it would be desirable to issue it or not.

THE TERRY CARBINE.—QUESTION.

Mr. H. BERKELEY said, he rose to ask the Secretary of State for War, Whether any Report has been received as to the Terry Carbine, as supplied to the 18th Hussars, and in use twelve months?

Sir GEORGE LEWIS said, with regard to this breech-loading carbine, it had been served out to the 18th Hussars, but the ammunition was not received until February. The twelve months were not completed, and no Report had yet been received.

STANDARDS OF WEIGHTS AND MEASURES.—QUESTION.

MR. LOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether any Communication has been received from the Astronomer Royal and the Comptroller General of the Exchequer as to the inaccurate state of the standards of Weight and Measure; and whether those now in use at the Exchequer for testing the accuracy of the Standards used by Inspectors of Weights and Measures in all parts of the United Kingdom of Great Britain and Ireland have been so used since the year 1825; and, if so, whether the same have been adjusted and reverified, or whether any other means have been adopted for ascertaining their accuracy; and, if so, what means?

SIR GEORGE GREY said, from the information which he had received, he understood that no representations on the subject had been made since 1859, when they were laid before Parliament. In regard to the dates upon which the standards of weights and measures were first used, it appeared that the balances and standard of avoirdupois weight had been used since 1825, but that the standard of measures had only been in use since 1834.

AFFAIRS OF CANADA.—QUESTION.

MR. ADDERLEY said, he wished to ask the Under Secretary of State for the Colonies, Whether the Canadian Parliament is prorogued, and the raising 5,000 additional Militia is to be considered their final and ultimate measure of preparation for the defence of their country, in co-operation with the 12,000 troops we have sent for that purpose; and whether it appears that that force is to be actually embodied and put under training, or only enrolled; and whether any answer has been sent by the Canadian Government to the offer of a British guarantee of 4 per cent interest to their Railway Loan of £3,000,000 made by the Duke of Newcastle, in substitution for their original proposal, that they should aid this country in undertaking their railway?

MR. CHICHESTER FORTESCUE replied, that the Canadian Parliament had been prorogued, and he was sorry to say that it separated without raising a force of active Militia, formed and clothed at the expense of the Canadian Government, beyond 10,000 men; the number proposed by the Canadian Ministry being 50,000. At the same time, it must be borne in mind that every Canadian capable of bearing arms was enrolled as a militiaman, and was liable to be called out in case of danger; and all persons acquainted with Canada knew that in the event of the appearance of danger there would be no difficulty whatever in raising a very large force of most admirable materials—men accustomed to the use of fire-arms, who would come forward with readiness and spirit. With respect to the latter part of the question, he said that no answer had been received from the Canadian Government to the offer of the British guarantee.

THE HORSFALL GUN.—QUESTION.

MR. LAIRD said, he would beg to ask the Secretary of State for War, If he has decided when to try the Horsfall Gun, and whether he has any objection that the trials be made at Shoeburyness upon the same Target as the Armstrong 300-pounder Gun was tested on Monday, the 7th instant, and also upon any other Targets now making for experimental purposes?

SIR GEORGE LEWIS stated, in reply, that arrangements had been made for the removal of the gun from Southsea to Shoeburyness, and for the trial of experiments with it against a target formed on the model of the sides of the *Warrior*.

THE TAEPINGS AND BRITISH TROOPS IN CHINA.—QUESTION.

SIR MINTO FARQUHAR said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there is any truth in the reports that 700 British troops had been surrounded at Kahding by the Taepings, and that reinforcements were expected in China of native troops from India?

MR. LAYARD said, that the Foreign Office had not as yet received any Despatches relating to the events referred to. He had seen Despatches from a naval officer on the subject, but those did not allude to the rumour of Kahding being surrounded by the Taepings. They, however, confirmed the account of the capture of Ningpo. Full particulars had not as yet been received; but an attack had been made in the first instance by the Taepings on English vessels, upon which those vessels attacked the place, and drove the Taepings out. The Despatches also confirmed the account of the death of Admiral Protet. He could give no information as to the arrangements with regard to reinforcements from India.

ROMAN CATHOLIC PROCESSIONS IN DUBLIN.—QUESTION.

Captain ARCHDALL said, he wished to put a question to the right hon. Gentleman the Secretary for Ireland in reference to a matter which had created considerable excitement amongst the Protestants of the sister country. It appeared that placards had been posted up throughout the city of Dublin announcing that certain proceedings were to take place on Sunday next, on the occasion of laying the first stone of the Roman Catholic University of Ireland. The programme set forth the fact that a procession was to take place through the public streets, and that places were assigned in it to Members of both Houses of Parliament. It was further stated that the procession was to be preceded by banners and bands, the character of which might be readily imagined. It went on to announce that the Roman Catholic Archbishops and Bishops of Ireland would appear on the occasion in their full canonicals. Now, he apprehended that the appearance of Roman Catholic ecclesiastics, under such circumstances, in their full canonicals, would be a violation of the law of the land, and was calculated to give great offence to Protestants. He wished therefore to ask the right hon. Baronet, Whether the authorities have taken, or intend to take, any steps to prevent such proceedings as are announced in the programme; or, in the event of the procession taking place in the manner announced in the programme, it is the intention of Her Majesty's Government to prosecute the Roman Catholic ecclesiastics for thus appearing in the public streets in their canonicals?

Sir ROBERT PEEL said, his attention had been drawn to the matter, and he had been in communication with the Department in Dublin in reference to it. He was not aware that any breach of the peace was anticipated, but the Government would be of course prepared to see that the law was respected by all parties.

AFFAIRS OF MEXICO.

PAPERS MOVED FOR.

Lord ROBERT MONTAGU said, he was warned yesterday evening that both front benches had agreed together to count out the House on this Motion. He did not suppose that the House could be so indifferent to a subject which affected it so nearly. The papers on the affairs of Mexico had an interest peculiar to themselves. The last of them was delivered on Saturday, and it would be unconstitutional not to submit that policy to discussion by the House. The usual objection could not be urged, that he was referring to events long past and gone; he had taken the earliest opportunity of bringing the papers before the House—namely, the first Motion night after the production of the papers. From those papers it appeared that Her Majesty's Government refused to conclude peace with Mexico, through undue subserviency to the French Emperor. The French, the House would remember, took up an independent line of action in Mexico, "frustrating the objects of the three Powers" (according to the language of our Minister) "breaking the Convention of London," and "violating the preliminaries of Soledad." We considered this "a slight" to England and Spain, and withdrew. Our Plenipotentiaries then concluded a peace which procured, as Lord Russell avowed, "the redress which had been so long sought;" and obtained the most ample guarantees in waste lands and church property. Before ratifying this Convention, Lord Russell wrote for the Emperor's sanction. The Emperor disapproved, and the treaty was therefore repudiated. This point he was prepared to prove, after rapidly sketching the previous occurrences, so as to show that the same influence had prevailed throughout. He thought that the two front benches could not venture to count out the House on a question of such vital importance to the country. The first paper on this subject contained the Dunlop and Aldham Conventions; not, however, the negotiations which led to them. From these Conventions it would appear that the grievances consisted merely in non-payment of creditors. Little enough was said about reparation for outrages. The satisfaction demanded and given was 51 per cent upon the imports. Captain Dunlop, in the despatch enclosing the Convention, dated February 2, 1859, said that Juarez "had at once acceded to all the demands for redress of the British."

He trusted the House would permit him briefly to remind them of the origin of Mexican bonds, and of our claims; so that hon. Members might perceive the true bearings of the subject. The loan was subscribed thirty-six or thirty-seven years ago in London, in order to enable Mexico to achieve her independence; payment was now exacted in such a way as to destroy that independence, and to crush that nation under the Power of France. The circumstances of the loan were these. In 1822 France was going to interfere in Spain in favour of King Ferdinand, to put down the spirit of liberty, and to gain an influence in the country. We opposed that proceeding. The Congress of Verona then met, and France, Russia, and Spain threatened to declare war if we resisted the action of France in Spain. Canning gave way, for he said it would be no good to send a fleet to Cadiz. He declared, however, that it should not be the Spain of former years; if France gained an influence in Spain, it should be Spain without the Indies. "Thus," said he, "I called the new world into existence to redress the balance of the old." Mr. Rush, the United States Minister, supported us; and President Monroe, in his message of December 2, 1823, said he would consider it a *casus belli* if those Powers interfered in South America. The independence of Mexico was declared in 1826. The loan was secured on the Mexican province of Texas. When the independence of Texas was declared in 1840, she took on herself, by the treaty with us, only £1,000,000 of the foreign debt, and the remainder was put on Mexico. This constituted our claim against Mexico. The bonds were now chiefly held by Mexicans. Sir Charles Wyke gave a history of the Conventions. The first was in 1842, when the recognised claims amounted to only £1,000,000. The Doyle Convention was in 1851; it was made "in consequence of the impossibility for Mexico to fulfil her engagements," and of "the penury of the treasury." By that convention 12 per cent of the imports were "mortgaged" to us. In 1852 there was the second Doyle Convention; it was "because of the apprehended deficit," and 15 per cent of the imports were "assigned" to us. In 1858 there was the Otway Convention; this was "because of the distressed condition of the national finances," and 16 per cent of the imports were assigned to us, while the rate of interest was doubled. In 1859 there was the Dunlop Convention, to "put an end to the difficulties in Mexico." Then 51 per cent of the imports were assigned. By the table which was given it appeared that the interest had been regularly paid until June 4, 1861, and one-sixth of the original capital had been discharged. In December, 1860, 65 per cent of the imports were assigned. In May, 1861, 77 per cent; and in October, 1861, 87 per cent of the imports. A great deal had been said of the outrages committed in Mexico. Those to which most importance had been attached were the Legation robbery, and the Conducta robbery. The former occurred in the following manner. There were two factions in Mexico. The party of Miramon, Marquez, Miranda, Almonte, and Cobos, or the Church party, were in power. These were no better than brigands; they were utterly lawless. The other party was the Liberal, or Constitutional party, at whose head was Juarez. On the 24th of August, 1860, Lord Russell wrote to Mr. Matthew, our Minister at Mexico, to break off relations with Miramon. Mr. Matthew did so, and left Mexico. After his departure a room in the house of Mr. Barton was broken open, and 660,000 dols. were taken out of it. Mr. Matthew, in writing to Mr. Glennie, our Consul, who was left in Mexico, said, "the money should have been levied in the outports, and not have been paid in Mexico." Mr. M'Garel, the chairman of the bondholders, directly charged Lord Russell with the fault, saying that this Legation robbery occurred because Lord Russell refused to interfere for the safe transmission of the money to the shore; so that Mr. Whitehead, the agent for the bondholders, had to keep it in Mexico for two or three years, instead of sending it away; and that when the Legation left so precipitately, it was impossible to make the necessary arrangements. It was clearly not in the interest of the bondholders that Lord Russell took that step. Lord Russell tried, however, to make his peace with the bondholders, by writing, on January 12, 1861, that he would recognize Juarez as President, if Juarez would promise to pay back the money which Miramon had taken.

The following was the account of the Conducta robbery—or rather the Conducta "occupation"; for the Mexicans said they merely occupied the money, but did not rob it. Juarez had not money enough to pay his troops, when he was fighting again Miramon, and implored Lord Russell to allow the 51 per cent assignment on the imports to be suspended for two or three months. Lord Russell, however, demanded his "pound of flesh;" he would "have his bond." General Degollado then seized a "conducta" of silver to pay his troops. He did it in proper legal form, for he gave a receipt for repayment, and designated church property of the value of three millions, in the province of Guajanato, as security. The amount taken was said to be 400,000 dols. He expressly stated that he considered it "a matter of life and death to the Republic;" that he had to "hasten to repress anarchy, because of the rumoured Spanish invasion." When Juarez came to hear of the proceedings of his General, he was exceedingly angry, and gave "peremptory orders for restitution," and for reparation. He even ordered a sale of monasteries to repay the sum. Degollado at last returned the 400,000 dols. This belonged partly to us, and partly to other nations. Mr. Matthew, however, writes—"I could not concur in the legal right of others." And hence those sacks which had Spanish or other marks upon them, were emptied out, and the money stowed in British sacks. In short, we in our turn, "occupied" the silver of all the foreigners. A great noise was made about this.

> "But" writes Mr. Matthew, "thinking it of primary importance that a good feeling should exist among all foreigners, I agreed on the restitution, to all foreigners, of any sacks proved to have contained money *bonâ fide* their property."

The French, however, ended the dispute by seizing all the money and putting it in limbo. Mr. Matthew then wrote to the Comte de la Londe, the French Chargé d'Affaires, calling this "an outrage against the British Legation;" and saying that "such proceedings of M. de St. Charles must be put a stop to," and "the Emperor must be held responsible." This was "tall talking." But he was not supported by Her Majesty's Government. Lord Russell subsequently, however, ordered Captain Aldham to demand redress from the Mexicans. Captain Aldham thereupon wrote an extremely sensible answer. He said, in the first place, that "the amount stated (400,000 dols.) is excessive;" our loss was not so great. The Mexican Government, besides, were "labouring under great difficulties," and "it would be injurious to British interests to overpress them." He then concluded with these words—

> "To take possession of the castle or town of Vera Cruz would be to annihilate British interests, and throw our commerce into the hands of the Americans, who would give it ingress over the frontier."

Mr. Matthew acknowledged the truth of all this; but said, that "poverty could not be accepted as an excuse;" and even suggested that Juarez, if he be poor, should disband the army which had been fighting for the cause of order against Miramon—for the President whom Lord Russell had recognised, against the opponent with whom Mr. Matthew had broken off friendly relations. Juarez, however, issued a decree for the sale of national buildings, in order to meet his engagements; he assigned fifteen per cent on all the revenues of Mexico; fifty per cent on the imports of Tampico, and as much as could be spared from the customs revenues of Vera Cruz. He ordered, also, that repayment of the Conducta money should be made, as well as compensation for all damages. Mr. Matthew, however, refused to accept that satisfaction, and, according to instructions from Lord Russell, he addressed to Juarez "a peremptory demand." The very next day, however, he wrote his secret thoughts to Lord Russell. He assured him that "the Mexican Government is most desirous to do what is right, but is surrounded by difficulties;" and that he is "convinced of the sincerity of Juarez's Government, but their treasury is utterly impoverished." Sir Charles Wyke had to keep up a harsh and impracticable appearance before Juarez, yet he imploringly poured out his secret soul to Lord Russell. Thus we found that Sir Charles Wyke, on June 24, 1861, "threatened to break off relations" with Juarez. Yet on the same day, in a despatch to Lord Russell, he wrote—

> "Your Lordship will perceive that the difficulties of the situation, and the penury of the treasury, are urged as excuses. Such being the case, he (Juarez) offers compensation in the shape of convents, farms recently belonging to the Church, or even the National Palace itself."

So again Mr. Matthew said, that the chief difficulties in the way of peace were from "the reclamations of foreigners." On the 12th of May, 1861, he laid down two distinct propositions in writing to Lord Russell —

> (1.) "The most imminent peril to Mexico is the deplorable state of its finances."

Whereupon he showed that the Mexican Government paid to foreigners 77 per cent on all imports. He said further—

> "The resources now receivable by the Government are avowedly unequal to more than half the amount of the expenditure actually requisite."

The second proposition was this —

> "The hope of Mexico rests upon the maintenance of peace . . . But unless the present Government be in some way avowedly upheld by England or the United States, further deplorable convulsions will afflict this unfortunate country, to the heavy injury of British interests and commerce."

Now, what interpretation could be given to all this self-contradiction? What meaning could be attached to it? Did it not appear that they were pulled different ways—that they were none of them their own masters? They would naturally act according to their knowledge of the facts of the case, but were constrained to act in another way. This was explained on July 26, when Sir Charles Wyke wrote, that "M. de Saligny had acted in concert with him throughout," but had gone further than Sir Charles Wyke would have done. He incidentally mentioned in the same despatch that the French claim was only £40,000, and was "being paid off." Elsewhere he called the French claim "a mere trifle." On August 21 Lord Russell sent out instructions to Sir Charles Wyke. They were repeated on August 31, and again on September 10. M. Thouvenel said that he sent out identical instructions to M. de Saligny. On October 28 Sir Charles Wyke wrote that "he had gained his point," and that "69 per cent of the customs were now mortgaged to us." In the mean while Lord Russell negotiated and signed a tripartite treaty for war and invasion. And yet, on November 28, Lord Russell wrote to Sir Charles Wyke to tell him that he (Sir Charles Wyke) had satisfactorily carried out the instructions of August 21. It was plain, therefore, that a mere desire for redress or satisfaction was not what had guided Lord Russell's policy; but that there was some other influence at work. Then, again, Sir Charles Wyke, although he had satisfactorily carried his point, yet insisted, immediately after, upon a reduction of 50 per cent in the customs tariff, saying he would "force them to do this." The free Congress which Juarez had established, objected, however, to foreign interference. Sir Charles Wyke thereupon proceeded to instruct General Doblado how such things were usually effected, and conspired with the minister to cajole the Parliament. The English bondholders, however, objected to the reduction of the tariff, and it was given up. But Congress gave full powers to General Doblado to arrange everything to the best of his judgment. Sir Charles Wyke then received intelligence of the tripartite convention, and of the impending invasion. He therefore broke off the negotiations, and wrote to Doblado, to hope that he would take the invasion "in a friendly, not in a hostile spirit." In the midst of the despatches of the year 1861, he (Lord R. Montagu) suddenly stumbled upon a despatch from Lord Russell to Earl Cowley, dated July 17, 1860, in which there occurred the extraordinary expression:—"when there is a question of renewing our offer of mediation." Lord Russell spoke in 1860 of renewing our offer. When did we first offer to mediate between France and Mexico? Had these operations been carried on for so long? The country had never had the slightest intimation of the "Mexican question" until September 24, 1861. Some papers ought, therefore, to be laid before the House in explanation of this despatch. On the 23rd of September last, Lord Russell became "apprehensive" lest France was "going to organize a new government," and to promote "the political reorganization of Mexico." In January last his misapprehensions were considerably increased, when he heard that the French Emperor was about to augment his force by 3,000 men, and was going to march on Mexico, in order to place Maximilian on the throne. He then made the discovery that "a combined expedition is subject to the rashness of the several commanders and diplomatic agents." In February, even Sir Charles Wyke became "apprehensive." He found that we could not support the French claims. M. Thouvenel, on the other hand, held that "we were bound by the Convention of London to support each other's claims." The first claim was for twelve millions of dollars. That claim, he confessed, was "unexamined;" it was "an approximation to the value, within a million, more or less." Then there was the Jecker claim. Jecker, a notorious "fisher in troubled waters," lent Miramon, when his Government was "on its last legs," the sum of 750,000 dols., and received bonds, in return, for fifteen millions of dollars. In 1860 (when we renewed our offer of mediation) the whole scrip was made over to M. Gabriac (the French Minister in Mexico), to M. de Saligny, and to others. It was said that they were held by M. Morny, and perhaps by some above him. Juarez offered to pay the original 750,000 dols., but his offer was not accepted. Lord Russell designated this claim as "an unreasonable pretension," and "an extravagant demand." Spain and France took advantage of the refusal of Juarez, to announce their intention to push on, and establish another government in Mexico. General Zaragoza humbly suggested that "this would be an act of war." Sir Charles Wyke, who could not disentangle himself from France, wrote to General Zaragoza to say that he considered this "uncourteous and aggressive in tone." All that was bad enough; yet it appeared we got still deeper into the mire; we had got entangled, not only with France, but with Italy also. Sir Charles Wyke wrote thus to Lord Russell:—"Our ninth conference opened by my informing the Commissioners that the King of Italy was about to send here an expedition, with the view of sustaining his claims." This was twice solemnly denied in the Italian Parliament, by Signor Ratazzi, the Prime Minister. The Italians have made some progress in the practice of Parliamentary Government. Immediately after this Almonte arrived, by the Emperor's express orders, along with Miranda, and other followers of Miramon. They kept up a correspondence with Marquez and Cobos, and stirred up revolution throughout the country. Sir Charles Wyke considered that the French had "taken up a separate line of action," and looked upon this as "a slight on England and Spain." And then, in ignorance of the influence which had been exerted on Lord Russell, he turned round, and charged this "crippling of their action" on "the want of foresight" in Her Majesty's Government. He then did tardy justice to those whom he had so often traduced and maligned: he wrote—

> "The Mexican Government have acted, in the face of great difficulties, with perfect good faith to us in all the engagements we have entered into with them."

Then, on April 11, were withdrawn the troops of Spain, and the moral support of Great Britain. Now, he came to the last papers on this subject, which were distributed on Saturday. There he found that the British and Spanish claims together amounted to only £700,000; and that after we had broken with the French, a convention had been concluded by our Plenipotentiaries on two bases—(1) on the basis of a loan from the United States; or (2), failing that, the guarantee which was to have been given to them should be handed over to us. Sr Charles Wyke wrote to Lord Russell—

> "Should the United States Convention not be ratified by the Cabinet of Washington, then the same lands and church property offered to them as a guarantee shall be sold and payment be made."

He concluded—

> "Everything I have lately done has been based, of course, on the direct violation of the London Convention by France, which has restored us to a perfect freedom of action."

So he thought in his innocence, yet here he was quite mistaken, for Lord Russell wrote to Earl Cowley, on June 14, to say that "he thought it right (before ratifying the treaty) to communicate with France, although it was found to grant the redress so long sought." M. Thouvenel answered, "No doubt it was our strict right, but it was not advisable." Lord Russell, on June 17, returned the following answer:—

> "Her Majesty's Government do not find that the Convention of Puebla contravenes either the principle of non-intervention or the general engagement not to seek any territorial dominions or separate advantage in Mexico. It only proposes to do that which England, France, and Spain desire to do jointly, and which, since the rupture of Orizaba, we must all do separately, namely, to grant redress for the just complaint of Great Britain."

But, as M. Thouvenel had not approved of it, he found, on closer examination, that it was "not in conformity with those great rules of policy by which the British nation is guided." That which had guided us seemed to have been the will of the French Emperor. For the sake of appearances, however, he had to pick some hole in it; so he said—

> "It recognises, for instance, a treaty between Mexico and the United States, by which Mexico is to obtain a loan. . . Her Majesty's Government are not fully informed of all the articles of this treaty, but it may contain provisions injurious to the independence of Mexico."

And again—

> "It may have some bearing, not now apparent, on the independence of Mexico."

He concluded by promising that he would not answer our Plenipotentiaries till July 1, so that M. Thouvenel might have further time for consideration. Lord Russell finally promised M. Thouvenel that he would not ratify the treaty. Then M. Thouvenel answered, in the height of arrogance, that the Emperor was satisfied with the sentiments of friendship expressed by Her Majesty's Government, yet he would have been more satisfied if these had been made the sole ground and the turning point of Lord Russell's refusal to ratify the convention. On the 27th of June, Lord Russell sent his answer to Sir Charles Wyke. He, in the first place, approved of Sir Charles Wyke's "separating himself from the French" after their "violation of the Convention of London." He then gave as his reason for not ratifying, that the guarantee to the United States might give them some influence over Mexico. Lord Russell had, however, already heard from New York, on June 20, that the Untied States Congress had refused to accede to the loan; and therefore the other alternative was in reality the only basis of our Convention—namely, that the waste lands and church property should be sold in order to pay our demands. He must ask now, whether our Plenipotentiaries acted in accordance with, or against their instructions. If the former, then their convention should be ratified; if the latter, then they should have been censured by Her Majesty's Government. The only escape from this dilemma was to suppose that the instructions which were sent out were defective. A few other points were pressed upon our consideration by the correspondence under consideration. While Mexico was a prey to brigands, then we acquiesced in that state of things. The moment there was a Government which was producing order, then we joined in sending armies to foment rebellion. It was Miramon that committed the outrages on foreigners. Then our agent, Mr. Otway, connived with him. Now, we enforced our demands on a Government which abstained from outrage; and at a time, moreover, when we knew our demands could not possibly be met. The Mexican Minister for Foreign Affairs went further, and asserted that "all the disturbances which had occurred since the declaration of independence had been stirred up by foreign diplomatic agents." In the next place, these operations in Mexico were not divulged until after Parliament was prorogued and when no question could be asked about them. The country had never heard anything about the matter till they saw it in the *Morning Post* of September 24, on in *The Times* of September 27. The first extra Parliamentary war was in 1857. The noble Viscount defended that on the ground that the principle of the previous sanction of Parliament did not apply to Asiatic wars; now it was made not to apply to wars in America. It would next be supposed not to apply to wars in Europe. Yet, if this were permitted, Parliament would become a mere farce. For how could that House control the expenditure if negotiations were to be carried on in secret, and wars were to be begun without sanction? In former days many difficulties were thrown in the way of commencing a war. The Constitution demanded that three steps should be taken—(1) There must be a message from the Crown asking for supplies. Thus King George II. asked for supplies "to concert measures against Sweden." That House did not think such a step would be wise, and they refused the supplies. (2) If the supplies were granted, a statement of grievances was presented to the foreign Power, and reparation demanded. (3) If the redress were refused, then the Sovereign formally declared war in council. None of these steps had been taken in the present instance. The right hon. Member for Bucks had declared that expenditure depended upon policy. It seemed to him that expenditure depended upon unconstitutional and illegal action. We had entered into a coalition to enforce pecuniary claims. He had thought the country did not love coalitions. We had a coalition with France in the Crimea. Was that sore yet healed? We had a coalition with France in China. Did we get any good from that? Yet here we had another coalition. But if we were doomed to make a coalition, why should it be a coalition to enforce pecuniary claims? He had heard of a coalition to prevent the Crowns of France and Spain from devolving on the same head. He had heard of coalitions to determine the frontiers of aggressive States. But he never before heard of a coalition to enforce pecuniary claims. He never heard of three armies encamped, as creditors, upon the soil of a bankrupt friend. We had no means of knowing whether the claims of France were just or unjust. The result was that we found ourselves enforcing claims which were extravagant and fraudulent. Nay, it was not even a coalition to enforce pecuniary claims, for the United

States had offered the money, and we had refused it. Mexico had offered material guarantees, and we had refused them. We went, in fact, to further the views of the French Emperor. But what interest had the French in going there? What advantage did they seek? We knew the scheme of aggrandisement which Richelieu had devised for France. Napoleon hoped to carry this out in 1810. The State papers of 1819 revealed a project to dispossess Spain of her colonies, and to erect French dependencies. In the Congress of Verona, Canning thwarted such an intention. In 1844 M. Guizot prevailed upon Lord Aberdeen to join him in an interference in Mexico. What did France care for putting Maximilian on the throne? What would she gain by giving Venice to Sardinia? No, we had been outwitted or overruled by France. Then, when we had made a lucky breach with them, and when our Plenipotentiaries had concluded the Convention of Puebla, our Government, out of deference to the French Emperor, repudiated that settlement, although it fully "gave the redress so long sought." If this subservience to France was a mistake, it was at least a costly error. But it was worse than a mistake; for we had combined with the murderer of his country's liberties, and joined him in planting a despotism on a free soil. Even now we could not entirely shake off our accomplice, although we saw him doomed to the abhorrence of man and the vengeance of Heaven.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions for supplying those deficiencies in the former instructions furnished to Sir C. Wyke and Captain Dunlop, which resulted in the signing, by Her Majesty's Plenipotentiaries at Puebla, of a Convention now repudiated by Her Majesty's Government at home."

Mr. LAYARD said, he must decline to follow the noble Lord in a large portion of his speech, which appeared to him not to be conceived in very good taste, nor would he follow the noble Lord into his review of history, or what had fallen from him with regard to the Government entering into wars without the sanction of Parliament. But he was desirous of putting upon its true footing the important question which the noble Lord had raised. In the first place, he wished to say a few words upon the general policy of the Mexican intervention, and then he would endeavour to answer the somewhat unintelligible Questions which the noble Lord had put on the paper. As to the general policy of the affair, he thought the mission of the British Government was perfectly clear. The noble Lord, following the example of others, had tried to lead the House to believe that the occurrences in Mexico had arisen from a desire on the part of the British Government to assert the claims of British subjects upon the Government of Mexico; in other words, to use an expression constantly applied to their interference in Mexico, that they had gone there to collect bad debts. The noble Lord was totally mistaken upon that point. There were many outrages to be redressed, many claims to be enforced, besides those of the Mexican bondholders. But even with regard to the Mexican bondholders, the Government, like many which had preceded it, had carefully avoided mixing up those which had been ratified by a national convention with those which had not been so ratified. Even the hon. Member for Horsham (Mr. S. Fitzgerald), to whom the bondholders were so much indebted and who had received a vote of thanks from them for the energy he had manifested, would be the first to get up and say that it was not the part of the British Government to go to war or even to interfere to enforce claims like those of the greater part of the Mexican bondholders. The Mexican bondholders had various claims on the Mexican Government. A certain portion of them had been recognised under a convention, known as the Dunlop Convention. That convention had not been actually carried out, but it had been confirmed by another convention. Thus two solemn international obligations had been entered into, which it was the bounden duty of Her Majesty's Government to enforce. Besides these, there were many other claims. The papers laid on the table referred to various claims which British subjects and firms had on the Mexican Government. These were perfectly legitimate claims; but, besides these claims, there were outrages of a very serious kind—to say nothing of murders—which had been committed on Her Majesty's subjects, for which no redress had been obtained—outrages on the British Government of the most serious nature; for instance, the outrage on the British Embassy, when Miramon ordered a room to be broken open, and property placed under the seal of the British Legation was carried off, in violation of the most sacred rights, from the residence of the British Minister. More than that, a sum of money belonging to British subjects which had been sent down to the sea-coast had been pillaged by an officer of the Mexican Government, acting on their responsibility. No doubt the British Government had a right to demand redress for those outrages, and to enforce those claims. Throughout the whole negotiation they had, however, carefully avoided mixing up with those claims, which ought to be enforced, the claims of the bondholders which had not been ratified. When people chose to lend money to a foreign country, they did so at their own risk. It would be monstrous for the Government to interfere in such cases, or that the bondholders should have all the advantages of profits without the risks. The noble Lord moved for the circular which had been written by the noble Lord on the subject of foreign loans; that circular laid down distinctly the principle on which the Government had interfered in behalf of the British claimants. The principle was undeniable. It was one of the most difficult things for a Government to deal with a weak State. They did not know exactly what to do. The moment they made any attempt to interfere, the parties made any terms, and a convention was signed; but scarcely had that taken place, when the same course had to be renewed. A strong Government did not like to interfere with a weak Government; but if they altogether refused, British subjects, whose property had been destroyed and whose lives had been threatened, would have a right to complain. He ventured to say nothing could be more forbearing than the instructions of his noble Friend with which Sir Charles Wyke went to Mexico. It was stated distinctly, that if the Mexican Government would now give the redress to which we were entitled, we would forget all that had gone by, and renew with them the most friendly relations. The noble Lord had spoken that night as if Juarez, on coming to the Presidency, was ready to do everything that was required; but, on the contrary, outrages had been committed as frequently as before, Englishmen were murdered, and the very sum taken by force from the British Residency, which the Government was pledged to pay, had been withheld. Juarez stated that the British Government must prosecute those concerned in the outrage on the British Legation. They were prosecuted, and acquitted on the ground that it was not a theft, but an incident of military occupation. No doubt Sir Charles Wyke succeeded in obtaining redress from Juarez, but the convention was not ratified; it was rejected by the Mexican Legislature. Over and over again in his despatches Sir Charles Wyke called on the British Government to interfere; no one could be more urgent than Sir Charles Wyke upon that point. He must be allowed to put the noble Lord right as to the facts of the case. England was not the only Power that had claims on Mexico; she was not the only Power which had suffered outrages that called for redress. The French Government had claims, though not so large or so important as we had. The Spanish Government had also claims, and the claims of Spain had been recognised by a treaty known as the Almonte Treaty. That treaty was set at nought. The first Power to take any step towards interference in Mexico was Spain. Spain proposed to take possession of Vera Cruz and Tampico. Spain fully made up her mind to that. That was plain from the papers which had been laid on the table. The French Government was equally ready with Spain to enforce its claims; and what were we to do? Were we to co-operate with them, or to take independent action? Had we not interfered at all, it would have been said that we neglected to enforce British claims, and that we had abandoned British rights. If we had taken independent action, we should probably have come into collision with France or Spain, and our only course appeared to be that which we did take. In order that our action should be clearly understood, the Convention of London was signed. We had no desire to interfere in the internal affairs of Mexico; our object was solely to enforce our claims, and the occupying of any territory or place on the coast would be only temporary. The noble Lord had spoken of troops being sent to Mexico, but that was not the case. Her Majesty's Government from the very beginning said that there was no intention of making any advance into the interior—all that was intended was to occupy Vera Cruz, to which they had a right and title by treaty. For that purpose, only a force of 700 Marines was sent to occupy San Juan d'Ulloa. The noble Lord also talked of the great expense which had been incurred in moving the Marines. Now, he must say, no doubt Sir Charles Wyke had acted for the best; but he had committed two grave mistakes at the commencement, which were not justified by any instructions he received from his Government; indeed, they were diametrically opposed to his instructions. The first mistake consisted in his issuing a proclamation, stating that the object of the intervention was the regeneration of the country; and the second was the attempt to place the Marines on the same footing with the French and Spanish force, and send them into the interior to co-operate with them. Those mistakes were made in direct opposition to the instructions of Her Majesty's Government, although, no doubt, Sir Charles Wyke acted with the very best intentions. They led, however, to very serious consequences. Soon after the landing the Mexican Government signified their wish to bring matters to an amicable termination, and the Convention of Soledad was agreed upon, by which the allies were allowed to advance, on the condition, that if war broke out, they would return to their original positions. This showed that the Mexican Government did not consider the position of the allies, so far, was a hostile one. Then appeared upon the scene a man who, according to all accounts, was the most promising Mexican statesman, and the man most likely to restore order and establish a strong Government under Juarez. He referred to General Doblado, who made very liberal proposals to the allies, which had every prospect of being accepted. Unfortunately, however, General Almonte, a refugee, intervened—a man who had entertained the idea that there was a strong monarchical party in Mexico, which had only to be appealed to to rise at once and set up a monarchy in the place of the Government of Juarez. All the information which Her Majesty's Government had received was directly opposed to that opinion, and it had been confirmed by the result. General Almonte, however, appeared to have persuaded the representative of France that a monarchical party really existed, and that it would be useless to treat any longer with the Mexican Government; and he induced the French to withdraw their adhesion from the Convention of Soledad, renounce all communication with the Government of Juarez, and to return to the landing-place in order to make a hostile advance. Her Majesty's Government looked upon that as a violation of the treaty, as we had gone to Mexico with the intention of not interfering in the internal affairs of that country; and they felt that they could not decline to hold communication with Juarez, who represented the Mexican people and Government. The Spanish authorities took exactly the same view as we did, and General Prim acted like a man of honour in refusing to be a party to any attempt to raise to the throne of Mexico a King contrary, as he believed, to the wishes of the people. He consequently retired with his troops, and the British Marines were also re-embarked. Her Majesty's Government had been reproached with deserting the French; but it had been admitted in the French Chamber that England had behaved with perfect loyalty and good faith. Those who knew Vera Cruz were aware that it was impossible for Europeans to remain there from early in the spring to an advanced period of the autumn; and in withdrawing the Marines from that place we had only done as we should have done in either case, whether there had been war or peace. The French Government had publicly admitted that we had acted with perfect frankness. The Church party in Mexico—a party who, if he must use a strong term, were the greatest ruffians, and who had been guilty of the most horrible outrages upon civilization—gathered round General Almonte in his attempt to establish monarchy; but when the French advanced into the country, they found that the warnings which had been given them were perfectly true, and that no monarchical party really existed there. The French General himself, with great frankness, admitted that, avowing that if he had dreamt that there was no party in favour of monarchy, he would not have advanced into the midst of a hostile country. That being so, what were Her Majesty's Government to do? His noble Friend had rather accused the Government of deserting Sir Charles Wyke.

Lord ROBERT MONTAGU: Of not giving him precise instructions.

Mr. LAYARD said, that it should be remembered that the Government never foresaw the state of things described by his noble Friend. On the contrary, when the Marines were withdrawn, when the Convention of Soledad had been broken, and the French troops took action by themselves, Sir Charles Wyke wrote to his Government to say that he was going to leave Mexico, and they accordingly believed that he would have retired to New York. Instead of that, he remained in the country, went to Puebla, and entered into the convention with General Doblado that had been mentioned to the House. The Government were perfectly astonished when they heard that he had signed that instrument. The convention was sent home to Her Majesty's Government, and was not ratified by them. His noble Friend had misstated the reasons why it was not ratified. There was no question of subserviency to the Emperor of the French, but the question was one of principle. The principle on which we had insisted in all our relations with the Central States of America was this—not to allow them to involve themselves towards the United States in a manner that might lead to inconvenient results. The convention declared that a certain sum should be paid to the British claimants out of money to be supplied by the United States, who, in return, were to have a kind of mortgage upon all the waste lands in Mexico. That arrangement might have produced a state of things which Her Majesty's Government were desirous to see avoided. That convention, although not ratified, was not altogether rejected by the United States, and it had been again submitted to the Senate. Again, the convention provided that, in default of the United States advancing the money, those waste lands should be mortgaged to the British Government. Her Majesty's Government were as much opposed to that as to their being mortgaged to the United States, thinking it might lead to disagreeable consequences in regard to our relations with the United States or other Powers. We were also to have been bound to occupy certain ports in Mexico by our naval force for the collection of the dues from which the claims on the Mexican Government were to have been met. Her Majesty's Government did not think that would at all have been a convenient arrangement. These, then, were some of the important grounds upon which they did not deem it right to ratify the convention, and he believed they were perfectly valid grounds. In saying that, he cast no reflection upon Sir Charles Wyke, who appeared to have done his best; and if the convention had been unaccompanied by the objectionable features which he had described, it might have been quite satisfactory. That was the short history of British policy towards Mexico. The noble Lord had put two questions to him. The first referred to a despatch from Earl Russell to Earl Cowley on the 17th of July, 1860. There was, however, no mystery about it, as it referred to an enclosure. We had long been in communication with the Mexican Government upon the subject of the claims of British subjects, and the Governments of France and of Spain had frequently called upon us to join with them to enforce those claims. But Earl Russell had always laid it down as a rule, that if we did interfere it must be upon the distinct understanding that other religions than the Roman Catholic should be tolerated in Mexico. That was at the time the Church party was in power, and when every person who professed any other religion than the Roman Catholic was subject to persecution. All that Earl Russell had done in the instructions was, to refer to a despatch upon the subject that had been written a year or two before, reciting the principle upon which alone the British Government could interfere or mediate in Mexico. The second question of the noble Lord referred to what he called the Italian expedition to Mexico. The facts were, that there were Italians in Mexico who had claims upon the Government, and when England joined with France and Spain in interfering in Mexico, the Italian Government inquired, unofficially, whether we would assist the Italians in Mexico. The British Government felt there would be inconvenience in taking up the claims of others than its own countrymen; and it was suggested to the Italian Government, that they might send a vessel with the joint expedition, and that some official person should be on board to whom the Italians might apply. No ship, however, was sent, and Sir Charles Wyke merely alluded to the possibility of an Italian vessel being sent out; but there was no intention that the Italian Government should enter into any convention. Having gone through the principal points connected with the subject, he could only say that he did not think Her Majesty's Government could have adopted any other policy than that which they had acted upon. They could not abstain from all interference, or British subjects might fairly have complained that their interests were neglected by their Government, while the subjects of other Powers were protected. They had, however, studiously avoided all interference in the affairs of the country, and he thought the policy they had pursued would increase British influence in Mexico, and lead to a better observance in future of engagements towards this country. He hoped, also, after the clear proofs that had been given of the non-existence in Mexico of a monarchical party, that France would open negotiations with any Government that did really represent the feelings of the people of Mexico, and thus bring to a pacific termination the differences that had heretofore existed.

Mr. SEYMOUR FITZGERALD said, the words of the Poet were once wittily applied to a certain person whose career reflected little honour on him, that nothing became him so well in in life as his going out of it, and he thought the same observation might be applied to the conduct of Her Majesty's Government in relation to Mexico; for the only satisfactory point about it was, that in spite of themselves they had been forced to withdraw from further interference. He was not disposed to say that the Government could have avoided all interference. On the contrary, not only with reference to repeated outrages upon British subjects, but also with reference to the removal of a large sum of money from the British Legation, it was impossible that the Government could have avoided taking some decided steps to vindicate the honour of the English name. But he did find fault with the manner in which they had fulfilled that duty. The hon. Gentleman had told the House that the Government had from the first declared they would not be parties to any interference in the internal affairs of Mexico; but his complaint was, that they had entered into a convention with France and Spain when, if they did not know that the object of both France and Spain was to interfere actively in the internal affairs of Mexico, the British Government were almost the only persons who were ignorant of the fact. For years refugees from Mexico had constantly represented to the British Government and to the French Government that the only means of restoring order in that country was by the active intervention of European Powers and the establishment of a monarchical form of Government. Had Her Majesty's Government no warning of those views being held by the French Government? M. Thouvenel, in one of his despatches, said—

> "We do not wish to interfere; but we think that the presence of our forces there will give that moral support to the monarchical feeling which we believe to exist, and that there will be a chance and opportunity for the establishment of a new and regenerated Government."

It was idle to say, when Almonte was constantly coming to this country and communicating with the Government and with public bodies, and after the language of M. Thouvenel—it was idle to say that the Government had not a distinct warning that it was the intention of the French Government to interfere in the internal affairs of Mexico, and possibly to establish a new form of government. It was stated in the convention that they were not to interfere with the wishes of the Mexicans in the establishment of any form of government; but that was not language that could have been used if it had been expected that the form of government then existing would continue to exist, but it showed that it was contemplated that the appearance of foreign troops might cause a revolution, and possibly a change of government. Every one must have been aware of the object of France and of Spain, and it was made plain by the speech of Señor Collantes in the Spanish Chambers that the object of interference was to establish a monarchical form of government. His hon. Friend had truly said that the last thing for an English Government to do was to attempt by force of arms to collect bad debts, or debts contracted with British subjects who had entered upon speculations with their eyes open, knowing the attendant risks, and guarding themselves against those risks by larger profits. That had been the principle upon which successive Governments had acted; and although the Government with which he had been connected had used its good offices to endeavour to obtain justice for the Mexican bondholders, yet, in the very last despatch written by them upon that subject, they emphatically laid it down that the claims of the bondholders were in the nature of private claims, and could not be enforced by arms. His hon. Friend had said that the claims of the bondholders were not the object of our interference; but it was a curious fact that the first convention made by Sir Charles Wyke, the ratification of which was refused by the Mexican Parliament, had reference solely to the claims of the bondholders, and to no other claims; and yet it was said that our interference was to obtain redress for grievances, and to stipulate for the due performance of the conventions. He thought the noble Lord at the head of the Foreign Department had been saved from the commission of a grievous error only by the refusal of the Mexican Legislature to ratify that convention. The terms of the convention were objectionable, for by it British consuls were not only to collect money and to apply it in payment of the claims of British subjects, but they were also to be made agents for the subjects of every foreign country having claims upon the Mexican Government. Another stipulation was that the endorsement of British officers should be requisite to give validity to securities to be issued by the Mexican Government. There was another matter of grave complaint against Her Majesty's Government, and that was that they should have entered into a convention to enforce the pecuniary claims of the Powers who were parties to it without knowing in the slightest degree the nature, character, justification, or amount of the claims which they had undertaken to assist in enforcing. They were told that the claims of the French Government were for a comparatively small amount—he thought £40,000 was the sum named; and yet they afterwards found that, without knowing what they were about, they had committed themselves to the enforcement of claims which Earl Russell had spoken of as the most extravagant, the most extortionate, and the most unjust. The French Government had since claimed 15,000,000 of dollars; and if Her Majesty's Government were not committed to the enforcement of that claim, it was owing to circumstances which they had not foreseen, and not to their wisdom in making the convention. The present position of affairs was as unsatisfactory as possible, and only one thing could be said for it—that it was better than they could have expected some time ago. But that the Government should have given British arms to enforce certain claims; that they should have thought it necessary to enter into a solemn convention, and that they should be represented in the expedition by a force of 700 Marines, seemed to him to be placing this country in a relation to foreign Powers utterly beneath her dignity and honour. He thought his noble Friend was under a misapprehension when he said that the ratification of the treaty with the United States Government had been refused. He believed it was still under consideration, and he was of opinion that it would be a dangerous thing for this country to lend its sanction, even indirectly, to such a treaty. He hoped that his noble Friend's suggestion, that we might form another treaty with Mexico of a more satisfactory character than that which had lately been attempted, would be realized, and he hoped also that we should not be found by the side of France in enforcing a change of government on a friendly people, or on the side of Spain in any schemes for the recovery of her ancient supremacy in Mexico; and, still less, that we should be placed by the conduct of Her Majesty's Government in opposition to the liberal party in an independent nation, thus giving a chance to the enemies of freedom and of liberal institutions in that country of again raising their heads and of re-establishing one of the vilest Governments that ever disgraced a country.

Mr. KINGLAKE said, if he rightly understood the papers upon the subject, Her Majesty's Government had not acted without something like a principle in the matter. They appeared to admit that an English subject who had gone to Mexico for purposes of gain, and had become a creditor of the Government there, could not expect the support of the Government at home in enforcing his claims, unless something more arose to give him a right. But in the present case Her Majesty's Government were supporting claims which had been sanctioned by engagements having the force of diplomatic promise, and therefore they were perfectly entitled to demand that the claims should be made good. The hon. Gentleman who had just sat down had hit upon the real weak point of the case when he said that Her Majesty's Government had made a convention with France without knowing something of the claims which she was likely to put forward—claims as they now knew, of so monstrous a kind that no Government that had a regard for its own honour could venture to enforce them. His hon. Friend the Under Secretary had charged the noble Lord with a violation of good taste in commenting upon the conduct of the French Government; but his hon. Friend in what he stated a few moments afterwards went on to justify something like strong language on the part of the noble Lord, for he described the state of things in Mexico as most unsatisfactory. But his hon. Friend told them that when Almonte arrived, everything got into a state of confusion. But who brought Almonte there? His hon. Friend knew it was the French Government, and his hon. Friend was obliged, by the stress of truth, to acknowledge that France had acted in violation of the convention. Well, then, if the Government of France deliberately violated in the spring a convention made in the autumn, hon. Gentlemen were not to be taunted with a violation of good taste in commenting upon such conduct. He entirely agreed in what his hon. Friend said in regard to Spain and General Prim. So far as he knew, there had not been a single default in anything required by honour and justice on the part of Spain, and he rejoiced in seeing that Spain, by her honourable conduct and the recovery of her former strength, was returning to her ancient position in Europe. His hon. Friend spoke with great justice of the difficulty of enforcing claims against such Governments as the Mexican. It was easy to establish the claim and apply force, but the difficulty was to find some alternative. We had money claims against the Mexican Government, but, unfortunately, money was exactly what they had not got. What should we have instead? We would not become conquerors; we were resolutely determined not to become conquerors of any territory in that part of the world. But the securities which that unfortunate Government was able to offer were of such a kind that we could not receive them. One security which they offered was a loan which they had concluded with a foreign State. We objected to that with great justice, for we said we did not choose to enter into a convention which should recognise those insidious loans by which one State was acquiring a sort of lien on the territory of another. Then they offered what in this country would be called Crown lands; but the duty of administering them would be so exceedingly troublesome that it would be impossible for the Government that should enter into such a Convention to have any peace. And then there seemed to be an equally strong objection to a lien on the customs duties of Mexico. He did not see what Her Majesty's Government were contemplating. He knew that they desired to be paid. His hon. Friend said that the Government did not foresee the state of circumstances which had occurred; but he thought they might have foreseen that the Mexican Government would be without money. He should have thought that it would chiefly enter into the minds of Her Majesty's Ministers to instruct their representatives in Mexico as to what they might take as a substitute for money, and he could not find in the papers any trace of such instructions. It seemed to him that the series of negotiations disclosed by the papers was a good illustration of the way in which the French Government used its relations with this country as a means to prop the Imperial throne. It was of great moment to the French Government to divert attention from affairs at home by causing it to be seen that the French Government was engaged in some great transactions abroad in concert with one of the great settled States of Europe.

Notice taken, that 40 Members were not present: House counted; and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, July 16, 1862.

MINUTES.]—NEW MEMBER SWORN.—For Montgomery County, Charles Watkin Williams Wynn, esquire.

PUBLIC BILLS.—1° Local Government Supplemental (No. 2); Copyhold, &c. Commission.

2° Excise Duties.

3° Leases, &c. by Incumbents Restriction Act Amendment; Divorce Court; Public Offices Extension; New Zealand; Duchy of Cornwall Lands (Completion of Arrangements).

NIGHT POACHING PREVENTION BILL.

[BILL NO. 203.] SECOND READING.

Order for Second Reading read.

SIR BALDWIN LEIGHTON said, that all would agree with him that it was a desirable thing to take measures for the prevention of those breaches of the law which were of such frequent occurrence in the winter season, and which led often to violent conflicts between poachers and gamekeepers, and occasionally resulted in murder. As he understood that objections would be taken to details of the Bill, he should not enter more fully into the subject until he heard what the objections were; and he should therefore content himself for the present with moving that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. MAINWARING said, he would second the Motion. He might remark that his keepers' time was taken up by keeping off men who were employed by neighbouring gentlemen to search for the eggs of game.

SIR GEORGE GREY said, he was rather surprised that the second reading should have been moved that day, the Bill itself having been printed only the day previous. He thought when the character of the measure was known and its details carefully examined, the House would be of opinion that it was not a Bill which should pass as a matter of course, or be hurried through the House without the country having a full opportunity of knowing what its provisions were. The Bill, in the first place, would increase, to a very great extent, the stringency of the existing game laws, and in addition it would give very arbitrary powers to individual policemen, who, acting upon mere suspicion, might search and apprehend persons on suspicion of having game or guns in their unlawful possession. The Bill, too, contained this radical defect that it did not define what was meant by "the unlawful possession" of game and guns, but left that question to the decision of the policeman. He was not prepared to deny that the subject well deserved the consideration of the House. He would admit that poaching was carried on in a few counties at night by armed gangs although the law was very severe in visiting offences of that kind on the conviction of the offenders. That practice was productive of the greatest evils, and it might well be deserving of the consideration of the House whether some additional measures should not be taken to check practices, which, evil in themselves, led to other evils, and involved the persons concerned in them sometimes in the commission of the greatest crimes. But he was not aware of any such urgent or special necessity at the present moment for provisions such as those contained in the Bill, or even for any new law on the subject, which ought to induce them, without the most careful investigation, to pass a law which had every appearance on the face of it of having been framed with the greatest haste, without due consideration, and in a manner not calculated to effect the objects of those who were the promoters of the measure. Towards the close of the last year he had received a memorial on the subject of poaching signed by twenty-eight chief constables of counties, and on the face of the memorial the chief constables stated that they were most anxious that the constabulary should not be employed directly or indirectly in the preservation of game. He did not say whether the House would agree in that opinion; but, founded as the Bills upon the subject that had been introduced into that and the other House of Parliament were upon the memorial, he thought it right to call attention to the fact that the chief constables themselves did not ask for the specific legislation which was now proposed. With respect to the number of murders and murderous attacks arising from night poaching which were said to be of monthly occurrence, some useful information had been received from the chief constables. Ten of them made returns of *nil;* so that in ten counties, the chief constables of which had signed the memorial, not a single case of the kind had occurred. But, on the other hand, it was not to be denied that in two or three counties assaults between keepers and poachers had been of frequent occurrence, and had often resulted in the death of the keepers and the most disastrous consequences to the persons who had committed the offence. The present Game Laws prevented persons from killing game without a certificate, and even those who might have a certificate were not allowed to trespass upon another man's property: if they did, they might be arrested by the person on whose land they were trespassing; and if they refused to give their names and addresses, might be taken before a justice of the peace as soon as possible; but in any case they were not to be detained more than twelve hours. But there was another Act—one of the severest upon the statute-book—with reference to night poaching, which was intended to be amended by the Bill before the House. "Night" was defined in that Act to extend from one hour after sunset to one hour before sunrise; but in the Bill under discussion night was assumed to extend from sunset to eight o'clock on the following morning. Under the present law, a person, trespassing in pursuit of game might, on a summary conviction, be subjected for the first offence to imprisonment for three months, with hard labour, and be obliged to find sureties for good conduct for a year; for the second offence he might be imprisoned for six months, and be compelled to find sureties for three years; and for the third, which was an indictable offence, he might be condemned to penal servitude. A servant might pursue and apprehend a night poacher, and in case of violent resistance the latter might be subjected either to penal servitude or to a corresponding term of imprisonment. Right of appeal, however, was given to the sessions against summary conviction; but he found nothing about such an appeal in the Bill. So far as night poaching was concerned, he did not think the existing law at all deficient in severity. It was said, however, that the law could not be enforced, because, he supposed, the keepers failed to apprehend the poachers, or did not pursue them and apprehend them as they might do when they endeavoured to escape, and therefore it was thought desirable by the framers of the Bill to give powers to the police to intercept persons who were suspected to be poaching at night, to carry them before a magistrate on the charge of having game, guns, or nets unlawfully in their possession, and the magistrate, if not satisfied with the account which the prisoners gave, might commit them to the petty sessions, and the petty sessions might, without appeal, inflict a fine of £5, and in default commit the accused to prison for two months with hard labour. The Bill, however, must be considered in all its parts. The first power which the Bill professed to give to the police between sunset and eight o'clock next morning was that they might stop and search any person whom they suspected of being in unlawful possession of game, hares, and even rabbits, —for it extended to rabbits, though rabbits were not by the existing law included under the head of "game." But where would the hon. Baronet find a definition of unlawful possession of game on the highway? By the Game Act, indeed, unlawful possession was defined to be the possession by a dealer more than ten days after the expiration of the season when it is lawful to kill game, and by any other person more than forty days after the expiration of the season. This Bill assumed an unlawful possession which the law had not defined. He was not aware of any law which made it unlawful to be in possession of game on the highway, even if it had been killed unlawfully. He would ask the hon. Baronet to say what, if the Bill passed, would be the position of a railway carrier, or a gentleman in his carriage, who might be in possession on the highway of game by whomsoever it had been killed. The Bill assumed an unlawful possession which as yet was undefined, and would therefore be inoperative, for any person taken before a magistrate must be discharged, because there was no law to enable the magistrate to convict him. It might be desirable to make it unlawful for poachers to have large quantities of game in their possession on a highway; but the defect in the Bill was, that it did not allude to poaching. Its framers had not investigated the present law, and they had assumed that game killed by an uncertificated person, in the possession of a third person, was unlawfully in his possession, whatever he was going to do with it; and, assuming that, they proposed that a police constable, on suspicion of such unlawful possession, of which he was to be the judge, was to apprehend a person and take him before a magistrate. It would be monstrous to leave it to the judgment of an individual policeman whether Parliament meant such a possession of game to be unlawful. The question of the unlawful possession of game killed by poachers was, to a certain extent, before the courts of law. That was an additional reason why they should wait until they saw, upon the highest authority, what the law was. In the course of last year Lord Exeter's keepers seized some rabbits which they said were unlawfully killed on their master's property; an action for trover was brought against the keepers, and Baron Wylde laid down the law, that though the killing of game might have been an unlawful act, yet game once killed became the property of the persons in whose possession it was. The Court of Common Pleas, however, acting, he believed, on the authority of Lord Holt, decided, that if a person started game—animals *feræ naturæ*—on a man's land, and killed it on the land, the game was the property of the owner of the land, and he had a right to take it wherever it was found; but if the game, when started, once crossed the boundaries into the land of another person, then it became the property of the man who killed it. That question had been carried to a court of error, and when decided they would know what the law on the subject was. He wished the House to mark the stringency given to the Game Laws by the provision in the Bill, that a constable might search any person or persons whom he had good cause to suspect of having unlawful possession of game. There were many individuals besides poachers—uncertificated persons, for instance—who violated the law by shooting without a licence, and, according to the Bill, they were liable in returning home after sunset—not an improbable occurrence in November or December—to be stopped by any constable; and, though they gave their names and addresses, they might be searched, taken to the nearest lock-up house, which might be ten miles off, and afterwards carried to the nearest magistrate, who might reside another ten miles off, and who might send them to the petty sessions, which possibly would not be held until after a period of ten days. There they would be subject to a penalty of £5, or imprisonment for two months. All that time, too, they were liable to penalties under the Game Acts, and might be prosecuted for trespass, as well as punished under the fiscal laws for having no licence. The Bill also authorized a constable to search any one who had a gun or engine which had been used, or could be used for the destruction of game—and he might apprehend him if he were in possession of game, or a gun, or a part of a gun, engine, or net—the powers of apprehension after search being larger than the powers of search. It did not follow that the gun or engine should have been used for the destruction of game, though, no doubt, that was the intention of the framers of the Bill. He did not wish to be over critical, but he observed that "constable or police officer" was used as the antecedent of the word "they," and he adverted to that circumstance simply because it appeared to him that every part of the measure bore the mark of haste, and manifested the almost indecent want of consideration with which the Bill had drawn up, though it had undergone the revision of a Select Committee of the other House. Under its provisions, a constable would be authorized to stop, search, and detain any cart or other conveyance in or upon which there should be reasonable cause to suspect that "any such game, hares, or rabbits, gun or part of gun, &c.," were being carried. That was a power that did not exist with regard to stolen property, for a constable could not stop a carriage except under the Metropolitan Police Act, the operation of which was limited to the metropolitan district, and detain the person in charge of it without a warrant, and merely on the suspicion that such person had property unlawfully in his possession. The clause went on to say, that should the constable find in the conveyance any game, hare, or rabbit, &c., supposed to be in the unlawful possession of the person in charge of the conveyance, public or private, then the constable was entitled to apprehend the person, without the slightest proof that the game or other article was unlawfully possessed. He had already said that there was no limit as to the time when the person so apprehended was to be taken before the justice of the peace. There was not even the protection afforded in other Acts by the use of the words "as soon as conveniently may be." The third clause enabled all the penalties under the Bill to be recovered in the same manner as under the Game Acts; but it did not give, like those Acts, the right of appeal. The latter part of the first clause provided that the game, guns, &c., seized by the constable might, after the conviction of the offender, be sold by order of the justices, the proceeds to be paid to the treasurer of the county, and applied to the purposes of the county rate. Now, as the law stood at present, no one but a licensed dealer could sell game, and he was not sure that a county treasurer, acting under this provision, might not be held to be in unlawful possession of money derived from such a source. Having stated his objections generally to the Bill, he wished to add that he did not mean to deny that the subject deserved consideration; and having already, in answer to a question addressed to him, expressed his willingness to consent that early in next Session an inquiry on the matter should be carried on by a Select Committee, he would recommend that the Bill before the House should be withdrawn, with the object of giving further time for the consideration of the question.

SIR HENRY STRACEY said, he was surprised that the right hon. Gentleman should have spoken in the terms he had used of a Bill which had received the sanction of no less a person than the Lord High Chancellor of England. Surely such a Bill could not have been prepared with haste or without consideration, and therefore the right hon. Gentleman opposite was paying that high functionary a poor compliment in endeavouring to turn the Bill into ridicule. He had waited with a deputation on the right hon. Baronet; but though he had tried on several occasions to obtain the advice of the right hon. Baronet, he would not listen to a word from him. When the right hon. Baronet's attention was directed to the prevalence of poaching, his answer was, "You have too much game; the country has too much game." Though twenty-eight constables and a great portion of the magistrates of England had memorialized the right hon. Baronet on the subject, and though his own Government Inspector had made a recommendation to him in words similar to those introduced into the Bill, the right hon. Gentleman had done nothing whatever to remedy that crying evil. Some remedy was certainly needed, for in many parts of the country gangs of poachers prowled about, not merely composed of persons who resorted to these proceedings from necessity, but putting a necessity upon the owners of game to retain a strong force of keepers for its preservation. Why, the right hon. Gentleman should throw the mantle of his protection over the poacher he could not understand. He believed it would be found that the poacher was invariably the thief in his neighbourhood. [Sir George Grey: No, no!] He could quote cases proving the correctness of his assertion. [The hon. Member cited instances in which convicted poachers had been identified as having been concerned in robberies, or attempted robberies.] The police generally prayed for the right of search, as they believed that if that power were given them, they would be able to prevent a vast deal of robbery which took place throughout the country. At present poachers were allowed to pass freely along the highway, their carts and bags being assumed to contain only game, though they sometimes contained property which had been obtained by burglary. On one occasion a cart which was stopped and searched was found to contain apparently only hares and pheasants. As their weight, however, excited some suspicion, they were opened, and were then found to be stuffed with silver spoons and forks. Within the last two or three days they were told that by application to the proper office they could obtain judicial statistics of 1861. Now, he had seen those statistics, and to his surprise it would appear from them that night poaching had decreased. He believed that that was a great error, as he had no hesitation in saying he could furnish testimony to prove that instead of that crime having decreased it had considerably increased. It appeared that those statistics only embraced a quarter of the year, instead of the whole year, leaving out of calculation the vast number of offences that were committed out of what was called the game season. Whilst the right hon. Baronet was throwing the mantle of his protection over the poacher, he was in effect, shielding the worst thieves from the penalties of the law. He (Sir Henry Stracey) had been threatened with all manner of things if he ventured to support the Bill, and amongst other threats he was warned that "Henley would pitch into him." Well, he had a great respect for his right hon. Friend, but all he could say to that threat was, that if his right hon. Friend did pitch into him, he did not apprehend that he would, to use his own phrase, "Come with a very ugly rush." But be that as it might, he could not help feeling that he was taking the right course in giving his support to the Bill; and if his right hon. Friend and the right hon. Gentleman the Home Secretary refused to countenance such a measure, they must each be prepared to bear his own share of the responsibility which declining to take any steps to prevent the disasters which were likely to occur during the ensuing season would involve.

Mr. W. E. FORSTER said, he could hardly suppose that it was seriously intended to immortalize a Session in which so little had been done in the way of legislation by the enactment of a more stringent game law. The principle of the Bill under discussion might, he thought, very fairly be described to be a proposal to turn the county police into gamekeepers. ["No, no!"] That, of course, was not the object of its promoters; but such, at the same time, was the opinion which would, he believed, be entertained with respect to it out of doors. There was, moreover, no doubt, that if it were to pass into a law, many gentlemen would have defrayed out of the county rates part of the cost which they now paid for an amusement; and that it would be impossible to prevent the impression from prevailing in the minds of the public that the preservers of game throughout the country, who were, generally speaking, also magistrates, would make use of the services of the police for their own purposes, in a manner very detrimental to the performance of their regular duties. He might also observe, in reply to the observations which had fallen from the last speaker, that the killing and taking away of animals or birds *feræ naturæ* was an offence with regard to which the notion very generally prevailed among the people that it was not to be placed in the ordinary category of theft. He therefore thought it would be somewhat unfair to brand as a thief the man who happened to break the law under that head, although he was quite ready to admit that constant opposition to the law in one direction was not unlikely to conduce to its violation in another. Hon. Gentlemen ought to consider whether it was becoming in them to insist so much as they did on the right to preserve game, and whether by so doing they were not creating incentives to crime by placing temptation in the way of the poorer classes. He wished simply to add, that being strongly of opinion it was not expedient to make the law with respect to game more stringent than it was, he should move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Sir JOSEPH PAXTON seconded the Motion.

Mr. HUNT said, that the minute criticism on certain provisions of the Bill in which the right hon. Gentleman the Secretary for the Home Department had indulged, afforded no valid grounds for rejecting the principle which it involved. He therefore trusted that the House would agree to the second reading, when all the objections of the right hon. Gentleman could be considered in Committee. For his own part, he must protest against allowing a state of things any longer to continue under which a law imposing severe penalties on those who broke it was rendered totally inoperative. He was intimately acquainted with districts in which the evil of gang poaching existed to a very great extent. He could point out railway stations at which gangs of men took their tickets for a particular train, equipped with all the appliances for the purposes of night poaching, just as if they were going upon a lawful errand. If he happened to be asked by an intelligent foreigner why such a state of things was permitted by the law—why men were suffered to go in bodies to destroy the property of others, their depredations leading but too frequently to bloodshed, sometimes to murder, and why the police did not prevent the commission of such offences, he could only say in reply, that there were stringent laws against these depredations, but that the police were not allowed to interfere to prevent them, and that it was only when blood was shed their services were called for. Could the Secretary for the Home Department honestly contend that that was a wholesome position of affairs? It was said, indeed, in opposition to those who sought to provide a remedy for it, that the effect of their proposal would be to convert the police, who were paid out of the county rates, into assistant gamekeepers. He, for one, had no wish to do that; but he, at the same time, must strenuously contend that it was monstrous not to allow the police to apprehend men whom they knew to be going upon an unlawful expedition which might end in the sacrifice of life. By the Act passed under the auspices of the late Lord Campbell for the better prevention of offences, persons found out in the streets at night with crowbars or other housebreaking implements in their possession, or with their faces blackened or disguised, with intent to commit a felony, where declared to be guilty of a misdemeanour, any person being empowered by a section of the Act to apprehend those who furnished such evidences of guilt. Now, the principle set forth in that Act was, he maintained, quite in accordance with the principle of the Bill under discussion. He might further observe that it would be a matter of no difficulty to put a specific interpretation on the words "unlawful possession," on which the Secretary for the Home Department had commented, while it would be scarcely fair to reject the second reading of the Bill because those words might be deemed a little vague. Other objections on points of detail had been advanced, which might also, he thought, be very well disposed of in Committee. It was, however, said that it was desirable that legislation on the subject should be postponed till next year, when further inquiry with respect to it might be instituted. His answer to that argument was, that if another winter were allowed to pass by without any steps being taken to guard against the evils of which he complained, it might be found that the result would be the murder of many keepers, and the seduction from a life of honest industry into one of vice of many a young man throughout the country. But, in order to show that those who supported the Bill were not disposed to press on legislation in the matter with undue haste, he would recommend the hon. Baronet who had charge of it, to assent to its operation being limited to one year, by the end of which time Parliament would be enabled to judge whether or not it was desirable that it should continue in force. If that were done, the House would, he hoped, have no difficulty in agreeing to the second reading.

Mr. HENLEY said, he had not risen immediately after his hon. Friend behind him (Sir H. Stracey) had resumed his seat, lest he should suppose that he meant to "pitch into him," which he was by no means anxious to do. On the details of the Bill before the House, he added, he would say but very little, inasmuch as they had been effectually disposed of by the speech of the right hon. Gentleman the Secretary for the Home Department. The observations which he had to make would therefore be mainly directed to its principle, and he might state at the outset that he would go as far as any man in supporting a measure which had for its object the suppression of violence and crime, provided only that such a measure was proved to be necessary. Had that, he would boldly put it to the House, been done in the present instance? Why, the promoters of the Bill had not attempted to lay before the House any such proof. He denied that the crimes with which they proposed to deal had increased to such an extent as to call for such legislation as they asked the House to sanction, while it was his honest conviction, that if the Bill were passed into a law, its tendency would be to augment rather than diminish the offence of gang poaching, against which it was specially directed. It had, he might further observe, been strongly asserted in the course of the discussion, by the supporters of the Bill, and assented to by the hon. Member for Bradford (Mr. W. E. Forster), that poaching and thieving were identical terms; and it had fallen to his lot, as well as to that of most other magistrates, to see a memorial containing allegations as to the close connection between the two classes of offences. He was induced, by an inspection of that document, to apply for a record of the state of things in his own county prison, and he subsequently applied to the Government for a statement with respect to all the prisons in England and Wales, showing the number of persons confined in them for the last seven years, and at any time previously committed for poaching. The Return was a searching one, and he was, he must say, greatly surprised at the strong assertions which were made on the face of it. It showed that the number of persons committed to the various county prisons in England and Wales during the period he had just mentioned amounted to 190,000. From that number he thought it only fair to deduct the committals to Newgate, Clerkenwell, and Westminster gaols, inasmuch as poachers were not so likely to find their way into those places. Deducting, then, those committals, which amounted to 51,000, from 190,000, he found that there remained 139,000 as the number of those confined in the county prisons of England and Wales within the last seven years. Now, how many out of the 139,000 did the House suppose had been previously convicted of poaching at any period of their lives? The whole number, it appeared, of prisoners who found their way into confinement under that head was 2,088. That fact was, he thought, of some weight in opposition to the assertion that every poacher was a thief, and that those terms were interchangeable. He would next, with the permission of the House, state how many persons had, during a period of fourteen years, actually passed through the prisons on account of poaching. He had been able to procure Returns on the point only up to 1854-5, and from those Returns he ascertained that between 1841 and that year the mean average of persons confined for poaching was 3,200 per annum, giving a total for the whole period of 45,000 in round numbers. Then, in the case of gang poaching, with respect to which he wished to give the House figures bearing upon a series of years, he found that the number of persons who had been committed during the five years from 1842 to 1846, inclusive, for being out armed, taking game, and assaulting gamekeepers, was 671, while for the next five years it was 711. In the next five years, which were not only a period of comparative ease and comfort to the people, but in which there was a great demand for army services, carrying off a great many loose fish, the number of crimes decreased from 711 to 464. In the last five years, ending in 1861, the number amounted to 520. Last year the number was 111, showing an increase over 1860, when the number was 87, but showing a decrease as compared with 1859, when the number was 132. The increase last year, as compared with 1860, arose almost altogether in Staffordshire, where there was an increase of 23 cases. What, however, would be the effect of the Bill? It said nothing about gangs, but gave power to the police to apprehend single individuals. At present gang poaching was confined to a comparatively limited number of counties. What would be the consequence of passing the Bill in all those counties where gang poaching did not now prevail? The police patrolled single-handed all over England, with no one within reach to aid them, without rattles or whistles by which they could get help. Directly the Bill became law it would be their duty to prevent every single sneaking poacher from getting home with his spoil. Could anybody believe that the effect of that would not be to make poachers go out in gangs of twos and threes, fours and fives, so that a single policeman patrolling in the dark, without assistance, would always be met by three or four sturdy fellows able to pound him into a jelly? It would be necessary to double the patrols, or, in other words, to double the present force of police. The House had been told that the Bill was not a measure for preserving game, either directly or indirectly. He asserted, on the contrary, that they were going to transfer the battle from the keeper to the policeman. Somewhere or other, a single policeman would be half murdered by a gang of poachers, and then representations would be made for an increase of the force. But, it was said, the police would patrol together near towns, where the poachers started from, and thus prevent any mischief being done. Would not that take the police from their proper duties? His honest belief was, that the Bill, instead of preventing gang poaching, would drive persons all over England to associate together in bands, and so lead to an increase in crimes of violence. There was nothing in the public Returns to justify such legislations. The cry for it had sprung out of the memorial of the chief constables. It had already been pointed out that of the twenty-eight gentlemen who signed that memorial eleven were the chief constables of counties in which no crimes of the sort had been committed. One of the allegations in the memorial was, that murders or murderous attacks were almost of monthly occurrence. A recent Parliamentary Return showed that within a certain period, one hundred murderous assaults took place in the counties enumerated. During the period embraced in the Return only one case resulted in loss of life. Of the one hundred cases no fewer than twenty-eight occurred in Cheshire alone. The House, then, would not be surprised to hear that it was the chief constable of Cheshire who set the ball a-rolling. Some of the cases were rather curious. The first took place on the 1st of September, 1860, and was described as a case in which a poacher took some nets from a keeper, which were afterwards retaken, though the poacher carried off sixteen rabbits. How that could be construed into a "murderous assault" upon the keeper, he could not for the life and soul of him imagine. In the next case, one poacher shot another by mistake in attempting to shoot the keeper's dog. That was a very strange "murderous assault" upon the keeper. But the most extraordinary case of all occurred on the 29th of September, 1861, when a poacher "threatened to abuse" a keeper. He did not know what threatening to abuse meant, but he defied the most ingenious man in the world to construe it into a "murderous assault" upon a keeper. In only fifty-three out of the one hundred cases had the offenders been brought to justice; and in twenty-five out of the fifty-three cases the sentences were imprisonment for three months or less. Where the punishment was so light, the crimes could not have been very heavy; and, upon the whole, he submitted that the Return did not justify the proposed change in the law. A great deal had been said about the metropolitan police having the powers now sought to be conferred upon the country police. He denied that either the conviction or the prevention of crime was promoted by giving such stringent powers to the police. Where the police had these powers they had more crime and less detection. Thank God, the passport system never existed in this country, but it had prevailed extensively abroad. Did it ever prevent thieves and bad political people going about and committing evil acts? It had been given up everywhere as of no use. So it was with stringent powers to the police. There was an old saying, that when one set of people conspired another combined; and it was never more true than in the case of the thieves and the police. When extraordinary powers were given to the police, sacrificing all personal liberty, the thieves were driven to all sorts of cunning shifts. On one occasion a little boy was asked how he and his comrades contrived to evade the police on a particular night. "Oh," he replied, "do you think we couldn't see their shiny hats?" How had the system of giving stringent powers to the police worked in the metropolitan district? In that district there was one policeman to every 504 inhabitants—a pretty good allowance—but they did not put a stop to thieving. In all the rest of England there was one policeman to every 1,111 persons. There were 21,413 policemen in all England and Wales. The "dangerous classes," including known thieves, suspected persons, receivers, tramps, and prostitutes—a very nice party—amounted to 123,049. In London there were 6,158 policemen, and 13,724 dangerous classes. Out of London, the number of policemen was 15,225, and the dangerous classes amounted to 109,323. Thus, the proportion in London was one policeman to two and one-fifth, meaning two grown up people and a small boy, while in the rest of England there was one policeman to look after seven adults and one juvenile. London, in fact, was so well policed, its proportion of dangerous classes was so small, and its morality as a whole stood so high, that the only wonder to him was how so many crimes came to be committed within its boundaries. The population of the metropolitan district was 3,109,172, and it was really astonishing that there should be no more than 2,960 known thieves, 222 receivers, 7,096 ladies of easy virtue, 1,974 suspected persons, and 1,463 vagrants, making a total of 13,716. Really, as that was the age of *soirées*, he was surprised Sir Richard Mayne did not get up an entertainment at the Crystal Palace and bring those 13,716 persons and the 6,000 policemen together. In 1861 the indictable offences reported in all England out of London amounted to 39,606; the number of persons apprehended was 23,202, and of these 15,436 were either convicted or bailed. In London the number of indictable offences reported was 11,203; 3,972 persons were apprehended, and 2,990 were convicted or bailed. The House would thus observe, that while in the rest of England and Wales about 38 per cent of the indictable offences reported were brought to trial, the proportion in the metropolitan district was not more than 26 per cent, notwithstanding the extraordinary powers wielded by the metropolitan police. [Mr. HUNT: The metropolitan police prevent crime.] He would give the hon. Member a little information upon that point presently. In 1861 the number of persons proceeded against in the metropolitan district for what might be called summary offences was 79,337, of whom 41,639, or 52 per cent, were convicted. In the rest of England the number proceeded against was 315,380, of whom 221,871, or 70 per cent, were convicted. Thus in London there was one summary offence for every thirty-nine of the population, man, woman, and child, and in the rest of England one for every fifty-three. But, said the hon. Member for Northamptonshire, the metropolitan police prevented crime. Why, in London, in 1861, there was one indictable offence reported to the police for every 277 persons, while in the rest of England the proportion was one to 428. There was consequently more crime and less detection in London than in the country. He did not mean to say that the metropolitan police were not good police. On the contrary, he believed that they were an admirable force, well organized and disciplined; but, as an old sportsman, he knew that if hounds were allowed to hunt two or three kinds of game, they would never kill any. The reason why the metropolitan police did not deal effectually with the thieves was that they were employed about a great many other things. They were to be found in that House itself, and he would not undertake to say whether their duty was to watch hon. Members or to watch over them. It was impossible to go anywhere without seeing the police. They had no time to watch the thieves. Whenever an old lady got her toes trodden upon they were sure to have a letter in *The Times* asking indignantly where was the police, but 100 poor people might be robbed without anybody knowing anything about it. Some hon. Gentlemen were very anxious to transfer the extraordinary powers wielded by the metropolitan police to every man who might be taken from the ploughtail and dubbed a constable in the country. The right hon. Gentleman the Home Secretary had pointed out the enormous difference between town and country, but what had happened even in towns? In the last year 4,900 persons were apprehended by the police in various towns in England, but of these only 3,228 were convicted when taken before the magistrates. Here they had no fewer than 1,672 persons locked up for a night for absolutely nothing, even although in all towns there was a superior police officer at each station-house, who could either bail or discharge as circumstances might seem to warrant. A poor man, though honourably discharged by the magistrate, could not fail to be damaged in character by being dragged to a station-house and there detained all night, and Parliament had no right to intrust such a power to a common policeman with his 17*s*. or 18*s*. a week, and newly taken from a plough-tail. The police had powers enough already, and he, for one, was not prepared to give them more. No objection could be made to the appointment of a Committee to take evidence and collect further information. At present the House was not in a position to legislate on the subject. He hoped the Bill would be at once rejected. It would drive sneaking poachers to associate together in gangs; it would take policemen from their natural game—the thieves, and set them to watch poachers; it would lead poachers, when they had got their swag of hares or pheasants, to plant it in some convenient house whence it might be removed without the knowledge of the police; and in a variety of other ways, which he would not stop to enumerate, it would increase and intensify the very evil which it was intended to remedy.

SIR JOHN PAKINGTON said, he was sorry that an engagement over which he had no control prevented him from hearing the first part of his right hon. Friend's speech, but he must say he had listened to the latter portion of it with extreme regret. He was sorry to hear his right hon. Friend introducing into the discussion on the question before the House a variety of statements with regard to crime in London, and the operations of the police of London which appeared to him utterly irrelevant to it; and he was still more sorry that his right hon. Friend should have spoken in a tone of levity, and attempted to turn into ridicule those frightful collisions between gamekeepers and poachers which were unhappily of such frequent occurrence.

MR. HENLEY: I beg my right hon. Friend's pardon. I did no such thing.

SIR JOHN PAKINGTON said, he certainly understood his right hon. Friend so to speak of the returns of those collisions which were constantly attended with loss of life, which were a disgrace to the age in which we lived, and which he held it to be the duty of the Government to put an end to if they could. The question before them was one of the most important of the Session. It involved the morals of the people, the rights of property, and the lives of Her Majesty's subjects. It was not, therefore, to be disposed of by a sneer. His right hon. Friend seemed to think, if the Bill were passed, it would be necessary to increase the police; but on such a question so narrow a consideration should not be allowed to have much weight. His belief was that his right hon. Friend never put forward a more visionary or unfounded opinion than that the adoption of the Bill would lead to any large increase of the county police. He resided within two miles of a railway station, and he was informed that the police in that neighbourhood every morning saw gangs of men laden with nets and other implements of poaching, and carrying hares and rabbits, openly going to the Droitwich station for the purpose of returning with their booty to Kidderminster; but the police were unable, having in fact no power, to interfere with them. Surely such a state of things required some remedy. He had not heard the speech of the right hon. Baronet the Secretary of State for the Home Department, but he was told he had admitted the importance of the subject, and recommended that a Committee should be appointed to consider it. If so, why did not the right hon. Baronet propose that such a Committee should be appointed six months before when he spoke to him on the subject, entreated him to take it up, and urged the frightful consequences which might be involved in delaying to deal with it? With reference to the Returns, of which so much had been said, he had looked into the criminal statistics for the last ten years. There were eleven counties from which no Returns were received; but in seventeen counties he found that for ten years the largest number committed for poaching cases had been 132; while in the autumn of 1860-1 the number had swelled to 198, and in 1861-2 the number was 456. There was an enormous increase within a very short period, and that only for seventeen counties—more than there had been previously for the whole of England. He thought the memorial of the chief constables entitled to great weight. They were not game preservers, their duty being only to check crime and maintain the public peace, morality, and welfare. With reference to the aspect which the question had on the morals of the people, he might mention a single case which occurred the winter before the last on his own estate. A man connected with a poaching gang had been apprehended; inquiries were made respecting him of the chief of the police at Kidderminster, who said, "Tell me the name of the man you have taken, and I will give you the names of the whole gang. There are four gangs of five men that go out every night, and return every morning, living by the plunder of the country. We know the men in every gang, but we are powerless—the law does not allow us to interrupt them; they pursue their profitable trade with absolute impunity." He appealed to the House whether such a state of things could be allowed to go on without producing the most demoralizing effects on the humbler classes of the country. They all knew how these gangs of men, who spent their nights in poaching, passed the day. They were engaged in no industrious occupation, they followed lawless and dangerous pursuits, and their profits were much larger than those of any industrious, sober man. He had in his hand a return from the chief constable of Worcester of the number of poachers known to reside in that county, and they amounted to 815, who lived more or less by poaching. These were facts which called for the serious consideration of Parliament. The right hon. Baronet the Secretary of State had criticised the Bill, stating that it commenced with assuming that the possession of game was illegal, whereas the possession of game was not illegal. On that point, undoubtedly, the right hon. Baronet was right; but an amendment in that particular was easy. The expression might be altered to "having game in his possession unlawfully obtained." If the Bill was defective, let it be amended in Committee. For his own part, he would say, whether it was open to the criticism of the right hon. Gentleman or not, he was prepared to vote for the second reading. There was a great principle at stake. He denied that the question was one of game-preserving; no doubt game preserving was an element in it, but the important principle at issue was not the preservation of game, but the preservation of life, public morality, and the rights of property. The House should not, therefore, be carried away by the jargon they sometimes heard about game preserving. He was not himself an advocate for over-preservation of game; but if a man chose to preserve his game, it was a question between him and his tenants—if he preserved to an extravagant extent, he must pay for it; but it was perfectly monstrous that the landed property of England should be at the mercy of these marauders of the night, poachers.

Sir GEORGE GREY said, he was not about to inflict on the House another speech, but it was quite clear that the right hon. Gentleman (Sir John Pakington) had not heard what he previously said, and consequently he had not correctly represented what had taken place. Indeed, he thought it was highly inconvenient that an hon. Member should come down to the House after a Bill had been under discussion for three hours and answer supposed arguments which he had not heard. He (Sir George Grey) wished the House distinctly to understand that he had not pledged himself to move for a Committee of Inquiry. He would repeat what he stated a fortnight before when he was asked to consent to a Committee of Inquiry. He then said that certainly he should willingly consent to such a Committee, and he was the more convinced of the necessity for it because a Bill had been introduced on the subject which appeared to him to bear marks of haste and want of consideration. He abstained from moving that the Bill be read a second time that day three months out of respect for the hon. Baronet who had charge of it, who had not yet said a word in favour of the Bill, and who he trusted would still be induced to withdraw it. The right hon. Baronet had referred to the criticism he took the liberty of making on the Bill, and alleged that it would be easy to remedy its defects in Committee, but the preamble set out by stating that to be law which was not law. As the law stood, the possession of game on a highway was no offence; but if any person bought of a game-dealer partridges which had not been shot, the presumption being that they were unlawfully obtained, he might come under the operation of the Bill. He was told by the Member for Norfolk (Sir H. Stracey), that if the Bill did not pass, he should be responsible for the murders committed during the recess; but he had pointed out the just severity of the enactments of the Night

Poaching Act with reference to those offences with which it dealt. The Returns which had been referred to, without undervaluing them, were not such as to justify hasty legislation on this subject. Even in the cases of what had been designated as murderous attacks, when dealt with by courts of law the punishments awarded were, in many of the cases, so trifling as to show that that very serious character of crime did not attach to them. There were only five cases given for the county of Worcester. In two of these three months' imprisonment was awarded, and in one only two months. The law was already very stringent, and it was very strange, if the police knew there were actually hundreds of persons living in Worcester by night poaching, that the law could not be put in force against them. He had stated the objections which occurred to him with respect to the Bill, and there had been as yet no attempt to answer them. He thought it impossible to put the Bill into such a form as to receive the assent of this House.

Mr. BASS said, he would not defend all the details of the Bill, but he thought the principle involved in it entitled to the utmost respect. The offences connected with night poaching were greatly increasing in Stafford, the county with which he was connected, and in two of the neighbouring counties, only during last week, murderous assaults had taken place —in the counties of Nottingham and Leicester. He was surprised to hear the right hon. Baronet the Secretary of State say that the Bill violated the principles of law. There were cognate provisions in the laws for the preservation of salmon. It was an opprobrium to the law, that while a man who came to his back door and took away a rabbit-skin was guilty of felony, half-a-dozen fellows might come on his land, take a whole netful of rabbits and hares, sit down on the turnpike road, smoke their pipes with impunity; and if he asked where they got them, they would, no doubt, give him a very saucy answer. He was not indifferent to the preservation of game, and he admitted the Act, if passed, would be of the greatest use in its preservation. There were conflicting statements as to the law. The evil was increasing, and it was the duty of the House to find, if possible, a remedy for it. He should certainly vote for the second reading of the Bill.

Mr. CAIRD observed that the reference made by the hon. Member for Derby (Mr. Bass) to the preservation of salmon did not apply, because poachers for salmon did not go armed. This Bill was to apply to Scotland and Ireland, but he was at a loss to understand why it should be so. Who were to pay the police force, which, if the Bill passed, must be increased? Hon. Gentlemen opposite styled themselves the farmers' friends; but had the farmers been consulted on the subject—were they found to be anxious for increased stringency in the preservation of game? No good farmer objected to a moderate preservation of game; it was excessive preservation that encouraged poaching. He hoped the hon. Baronet who had charge of the Bill would withdraw it. He had never heard so many conclusive arguments against so short a Bill.

Sir BALDWIN LEIGHTON said, he thought it most desirable that the House should affirm the second reading, and that they should go into Committee on the Bill. The right hon. Baronet had criticised the Bill; he did not know whether that criticism was intended to be grammatical or legal, but this he must say, the phrase objected to by the right hon. Baronet was put into the Bill in another place by the highest legal functionary. The right hon. Baronet said something about the details of the Bill, but nothing against its principle. It was his intention, if the Bill were read the second time, to propose in Committee that an appeal should be given to the quarter sessions. It was, however, most desirable that the police should have power to search persons found on the highways who were suspected of obtaining game unlawfully. The powers given by the Bill were not greater than those given by the Metropolitan Police Bill, and not stronger than were given in reference to the preservation of salmon.

Mr. BARROW said, he agreed with those who thought that night poaching had increased, was increasing, and ought to be diminished; but he must deny that the Bill would have the effect of diminishing it. It was said that the Bill involved the rights of property; but it involved the liberty of the poor. A man was liable to be taken into custody and kept all night, and then remanded till the petty sessions for an offence which was only punishable with a fine, and there was nothing in the Bill giving the power of bail. He did not think that a private policeman ought to be empowered to take up upon suspicion any one whom he might choose to imagine was a poacher. Such a power would be an infringement of the privileges of the subjects of the realm.

Mr. STANILAND said, he had been astonished at the observations made by opponents of the Bill, and especially by the right hon. Gentleman the Home Secretary, who had declared that it would violate every principle of law. Did that right hon. Baronet forget the measure he had himself brought in a Session or two ago in reference to deer? That measure provided, that if the head, skin, or any part of a deer, kept even in unenclosed grounds, was found in the possession of any man, any person—not a policeman only—might apprehend him and take him before a magistrate, who, unless he gave a satisfactory explanation of his coming into possession, could inflict a severe penalty upon him. It likewise provided, that if there was reason to suspect any person of having on his premises any part of a deer improperly obtained, a search warrant might be issued against him. The hon. Baronet the Member for Yarmouth had stated that the men who were known as poachers were also frequently known to be thieves; and that when a man failed as a poacher, he often took to stealing. The right hon. Member for Oxfordshire (Mr. Henley) contested that assertion, and referred, in support of his argument, to a Return showing the number of persons convicted of felony who had been previously convicted of poaching. The right hon. Gentleman said that within a given period 113,000 persons were convicted in this country for felony, and that out of that number but 2,088 had previously been convicted of poaching. The right hon. Gentleman was much more innocent than he had given him credit for being if he could imagine that any faith was to be placed in such a Return. If John Smith had committed a crime in county A, and wished to commit another in county B, would he not adopt a new name—say, Norfolk Howard, or something of that kind—so that he might hide his past misdeeds? Certainly, if apprehended for felony, he might not always feel it his bounden duty to tell the gaoler that he had been formerly convicted for poaching. But if the career of these men could be traced through the various counties in which they had been perpetrating crimes of one sort or another, a much larger proportion of them than the right hon. Gentleman supposed would be found to have been poachers. The right hon. Gentleman also said that where greater powers had been given to the police more crime was committed and less detection took place. If that argument was sound, they ought to abolish the police to-morrow; and, to be consistent, the right hon. Gentleman ought at the very next meeting of the Oxfordshire magistrates to move that the resolution in favour of establishing the county police should be rescinded. With regard to the speech of the Home Secretary, he looked upon it as an official one rather than as being in accordance with the right hon. Baronet's private sentiments. He could understand a sympathy being felt for the old-fashioned poacher—a poor wretch overworked and underpaid, who snared a hare to eke out a scanty dinner. But that race was now entirely extinct, and a set of ruffians who went about openly in the face of the police wherever game was preserved had taken its place. The right hon. Baronet appeared desirous of obtaining further evidence of the necessity for such a measure before the House adopted the Bill. Let him read the accounts given in the public prints, especially during the winter months, of the cases in which men doing their duty to their employers either lost their lives or suffered severe personal injuries at the hands of persons who set the law at defiance. He said it advisedly, that if a gamekeeper, or his assistant, in the discharge of his duty, had his life put in jeopardy by the threats of a poacher or gang of poachers, he would be legally justified in taking life in self-defence. If two or three instances of that kind should occur next winter, perhaps the right hon. Baronet might think that the Bill ought to have been read a second time. He agreed that the measure had been hurriedly drawn, but there was no defect in it which might not be readily cured in Committee. The other House had done its duty in sending down the Bill to them; and it would be a scandal to that House, as well as to the department over which the right hon Baronet presided, if the Session were allowed to pass without an attempt being made to remedy so great and growing an evil.

Mr. NEWDEGATE remarked, that if the question involved in the Bill were not discussed in that House, it would be discussed out of it. He thought they had all arrived at the conclusion that the provisions of the Bill with reference to the capture of poachers did not meet the support even of the promoters of the Bill. That was a great gain. The Bill was too stringent. In several of the midland counties, one of which he represented, he was sorry to say some legislation on this subject was required: he was opposed to changing the law of evidence in game cases, but in his own opinion the legislation which would be effectual would be to render persons against whom reasonable suspicion could be alleged liable to be searched by the police for instruments to take game, and for game, if met upon the highways under suspicious circumstances, and then to be summoned to appear before justices in petty sessions. He should be sorry to see legislation go beyond that point at present; but if, after what had occurred, the House did not read the Bill a second time, it might be supposed to have given a direct encouragement to poachers. As had just been stated, the character of the poacher had changed; he had become the agent of the game-dealer; this trade was encouraged by the conduct of game preservers themselves. He did not approve the provisions of the Bill, and desired the Amendments suggested by the hon. Member for the Tower Hamlets; but he hoped, for the reason he had given, that it would be read a second time. The evil was increasing and assuming such a shape that no one would be able to preserve any game unless he could maintain an army for its protection. If, however, the House sanctioned such a measure as he had suggested, it would preserve to the tenant farmer and the small proprietor some small quantity of game. He (Mr. Newdegate) thought legislation on this subject necessary, but he should be sorry to see any enactment which would encourage the preservation of game to an exaggerated extent.

MR. SCULLY (who was received with cries of "Oh, oh!") said, the strongest argument he had heard in favour of the Bill was that of clamour, but the House had better hear him, as otherwise he should be obliged to detain it until six o'clock. He could not give his support to the Bill, but he would "pair off" if the promoters would strike out from it the word "Ireland." It was worse than any of the Irish coercion Bills which had been introduced this Session. While, however, the Government supported bad Irish Bills, they had the good sense to oppose them when they also applied to England and Scotland. He was surprised to hear a speech in favour of so wretched a measure from the Liberal Member for Boston (Mr. Staniland). The Bill was a monstrous one, which ought to be thrown out at once; and although he did not often vote with the Government, he trusted that they would vote with him on that occasion in giving it his opposition.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 149; Noes 94: Majority 55.

Main Question put, and *agreed to*.

Bill read 2°, and *committed* for *Friday*.

FISHERIES (IRELAND) BILL.

[BILL NO. 170.] COMMITTEE.

Bill *considered* in Committee:—

(In the Committee.)

Clause 1 (Short Title).

COLONEL WHITE said, he thought the Bill ought not to be pressed that Session, as further investigation into the subject of Irish fisheries was required. The Select Committee to which the Bill had been referred had examined but very few witnesses, and had not examined the Chief Commissioner of Fisheries in Ireland. He hoped his hon. and learned Friend would withdraw the Bill for the Session; and if a good Bill should be introduced next Session, it should receive his hearty support. He moved that the Chairman do leave the chair.

COLONEL FRENCH said, he saw no necessity for postponing legislation. The Bill had been referred to a Select Committee with the sanction of the Government, and the Bill under consideration was the result of the reference. The Committee did not think it was necessary to examine a number of witnesses, because a great deal of evidence relating to the subject had been taken on former occasions. It was not a question between the upper and lower proprietors, but one of increasing the supply of an important article of food.

COLONEL VANDELEUR observed that the Bill was purely an anglers' Bill, which would seriously interfere with rights which had been recognised by Parliament. He denied that the breed of salmon was decreasing in Ireland, but he believed, that if the Bill passed, it would greatly raise the price of salmon. He had been the only representative of the lower proprietors upon the Committee, and he had in vain endeavoured to induce them to take further evidence. There were many cases in which the Bill would be utter ruin to persons who had invested their money in the Irish fisheries, and in his experience a Bill had never been introduced into Parliament which would operate as a greater grievance to a large and industrious portion of the population. The inland proprietors did not feel for the opponents of the Bill — the tidal water proprietors. They advocated the case of the anglers, and declared that the tidal water fishermen were robbers, who had obtained the Act of 1842, and ought to give up the advantages which they had thus gained. But it was the greatest injustice to repeal an Act on the faith of which people had invested their money—the Encumbered Estates Court had sold rights of fishing, and the Court of Chancery had granted leases—and to do that with hardly any notice, and without any compensation to those whose rights were affected. He hoped the Bill would be withdrawn, that the subject would be considered in the recess, and that next year the Government would introduce a Bill which would do justice to all parties.

Colonel DUNNE said, he should support the Bill, the whole opposition to which was raised by a few interested proprietors, while its advocates were the whole Irish nation. The question was whether there should be stake nets, which would ultimately destroy the Irish salmon, or whether the breed of salmon should be protected by the Legislature. It was said that the number of salmon in the market had increased of late years. That was what they wanted to prevent; for if the salmon were killed beyond proportion from year to year, that species of fish would be annihilated. So destructive had been these stake nets that in many parts of Donegal they were taken up because there was no more fish to be got. The Bill was said to be an anglers' Bill, but the take of salmon by anglers was hardly worth considering, while no modification in the stake nets could be made consistently with the preservation of salmon in Ireland. He should have no objection to the Bill standing over to another Session if he saw any chance of a compromise, but there was none whatever, and therefore he hoped it would now pass.

Mr. BUTT said, that the Bill was solely directed against stake nets, the erection of which was secured by the Act of 1842.

House *resumed*.

Committee report Progress; to sit again *To-morrow*, at Twelve of the clock.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 17, 1862.

Minutes.]—Public Bills.—1ª Divorce Court Public Offices Extension.

2ª Metropolis Local Management Acts Amendment; Council of Medical Education.

3ª Sheep (Ireland); Mutual Surrender of Criminals (Denmark).

Royal Assent.—Artillery Ranges; Rifle Volunteer Grounds Act (1860) Amendment; Crown Private Estates; Education of Pauper Children; Sale of Spirits; Discharged Prisoners Aid; Red Sea and India Telegraph Company; Chancery Regulation; African Slave Trade Treaty; West India Incumbered Estates Acts Amendment; Chancery Regulation (Ireland).

NEWSPAPERS, &c. BILL—[Bill No. 147.]

SECOND READING.

Order of the Day for the Second Reading read.

Lord CAMPBELL* rose to move the second reading of a Bill which had come up from the other House of Parliament to repeal the Act of 1819, which for the first time required securities from publishers and printers. Last year the same Bill came up from the House of Commons with the same general concurrence, which this year it had engaged, but too late to be considered by their Lordships. It was not to be confounded with a Bill which had come up in 1860, and which the House declined to read a second time, since that Bill proposed extensively to alter an Act of 1799 relating to the press, with which the present Bill in no way interfered; confined as it was to two Acts of Parliament by one of which in 1819 securities had been imposed—by the other in 1830 they had been in some degree extended. The two Acts were 60 *Geo.* III., c. 9, and 1 *Will.*, IV., c. 73. Of this latter Act the first clause was not to be repealed, because it took away penalties which it was not intended to revive at present. It would therefore be seen, that as no Vote had been taken on the present Bill, their Lordships were at perfect liberty to decide upon its merits.

But if the House of Lords was not in any way committed on it, so much could not be said of the noble and learned Lord over the way (Lord Chelmsford), who had given notice to oppose it. A very few words would show that he was thoroughly engaged to its support. The principle of the present Bill was to repeal the Acts of Parliament which required securities of publishers and printers, and to preserve the Acts of Parliament which insisted on the registration of newspapers at Somerset House. And this, as he would now explain, was the principle repeatedly advanced and formally assented to by the late Government, in which the noble and learned Lord held a most conspicuous office. It was important to consider with exactness the course which the late Government had taken on this subject. On the 17th February, 1859, leave was moved to bring in a Bill prepared by Mr. Ayrton, Mr. Milner Gibson, and Mr. Collins, which proposed to repeal almost the whole of eight statutes bearing upon newspapers and printers, including the Act of 1819 and the Act of 1830. The Solicitor General of the late Government (Sir Hugh Cairns) admitted that many of the statutes proposed to be repealed were obsolete; that what was not enforced ought not to remain upon the statute-book—discussed the Bill in terms of general encouragement, with reserve as to the extent to which it ought to go. On March the 2nd, the Attorney General of the late Government declared that he had no objection to the second reading of the Bill. On March the 21st, in Committee, the Solicitor General, in terms much more precise, consented to the repeal of the first three Acts enumerated, including the Act of 1819—which was the main topic of debate tonight—but desired to keep two others he alluded to, by which the registration of newspapers was enforced. On the 7th April, another Member of the late Government (Mr. Sotheron Estcourt), speaking in their name, advised Mr. Ayrton to withdraw his Bill in prospect of the general election, and himself undertook in the next Session to offer legislation in a spirit not different from his own. To give precision to a pledge, which, although liberal, was vague, the Solicitor General proceeded to remark that, in the opinion of all parties, statutes which required securities ought to be repealed (as the Bill now before the House proposes to repeal them), and that those which required the printer's name to be attached to what he prints should be retained. The point to be considered, the Solicitor General went on to say, was, whether the law which required newspapers to be registered should or should not be adhered to. The legal organ of the late Government had not made his mind up even to that degree of rigour, while he renounced securities, in the name not only of his friends and of himself, but of all parties. Since then, the House of Commons, instructed by the late Government—for such language was instruction—sanctioned Bills to abrogate securities and keep up registration. And these are the securities which the noble and learned Lord, who then held the Great Seal, would now resist the abrogation of. The noble and learned Lord is too great a constitutional authority to maintain that the Lord Chancellor is not responsible for the language of the Attorney and Solicitor General speaking as the legal organs of the Government, or that their words are not to be considered as his own. It would ill become his character for vigilance to avow that a subject, of which he is at present nervously alive to the importance, at that time escaped him altogether. And he is too high-minded to have knowingly remained a leading Member of the Government which resolved to get rid of securities, while he himself was bent upon retaining them. Unless his opinions had undergone a revolution since 1859, he is bound to support the Bill before your Lordships.

But although the Members of the late Government, and more particularly the noble and learned Lord, are thus engaged to its support, the House itself is not compelled by their opinion, and I will therefore briefly go into the merits of the question. The Act of 1819, which the House of Commons asks us to repeal, was among the celebrated Six Acts which in that year justly or unjustly brought odium on the Government of Lord Liverpool and of Lord Castlereagh. Most of them have expired, and only one or two remain on the statute-book. Their avowed object was, by extraordinary restraints, to meet extraordinary dangers. They were carried in November and December, 1819, and arose out of an unhappy conflict in the preceding August between the Yeomanry and a large crowd at Manchester, assembled to petition for reform. In Parliament, the Opposition of that time, including Sir James Mackintosh, Mr. Brougham, Lord Erskine, and other distinguished men, appeared to waste their powers in resisting and denouncing them. By these authorities, the whole system comprised in the Six Acts was viewed as a tyrannical encroachment on the established freedom of the country, while the part we have before us, and which imposed securities on printers, was marked for separate attack and for particular and pointed reprobation. It was argued to be wholly new for a class who satisfied a public want to be called upon to give securities by others and themselves against some possible offence which had not yet arisen. It was urged, that printers ought not to be exposed to disadvantages by which no other class of tradesmen were affected. The Bill created also, as they reasoned, an invidious distinction between wealth and poverty. No man who had not ample means and opulent connections would now be able freely to deliver his opinions to the country. By these considerations the Bill was strongly reprimanded. At the same time, the Government who urged it were not without an answer. The time was fraught with agitation and uneasiness. It was deemed necessary, without any purpose of foreign policy or national defence, to increase the standing army by 10,000 men. Lord Castlereagh, the leader of the House of Commons, dwelling on the moment, likened it to that of 1745, when armies were supposed to be advancing upon London. In point of fact, at that time, neither the Crown, the Government, nor Parliament stood well in popular opinion. Sedition undoubtedly prevailed; discontent was its origin; the press was its exponent; and the Act of 1819 was therefore calculated, if not to check its source, to impose a limit on its utterance. The pleas which were opened to the Government of that day are now notoriously wanting. The preamble of the Act has long outlived the facts which it refers to as occasioning it. Even the severe distress which now prevails among the operatives has led to no political excitement, or disturbance, or complaint. Seditious publications are unknown, or scarcely ever heard of. The picture of society is as remote as possible from that which forced itself on the alarmed and unpopular Executive of 1819. Whatever case Lord Liverpool and Lord Castlereagh were able to adduce for the Six Acts, taken as a whole, and this one in particular, is buried in their graves, and has not descended to their successors.

Lord Campbell

But even admitting that exactly the same arguments and exactly the same facts which bore on 1819 were now available, a new consideration opens. If the law can be defended, it can not be enforced. In 1855 a Bill was carried to repeal all stamp duties on newspapers. In this way a great part of the Act of 1819 relative to stamps vanished altogether. So long as the stamps remained, a Board was ready to watch newspapers, to protect the revenue, and to see that the securities required by law were given. Stamps having passed away, there is no department of the State whose business it is, or to whom it naturally falls, to ascertain whether the recognizances have been entered into. The upshot is that the law can only be occasionally acted on. And this is its injustice. A publisher has not sufficient motive to observe, and yet encounters risk by disregarding it. The editor of an Irish Journal, the *Dundalk Express*, recently addressed me in a letter to explain that he had started a small paper about three year ago; that he was prosecuted by the Crown for not having entered into the Libel Bond; that to save himself from imprisonment he was forced to stop his publication, and to reduce his family to want; that after some time he re-established it, but at the cost of paying twenty per cent for the money he required, and giving one-fifth of the profits to the person who became his surety. In his own judgment he was ruined by being called on to provide against an offence for which, if it did arise, the law could put him into prison. Such cases would not occur if the Act of 1819 was enforced upon the one hand, or repealed upon the other. Publishers would make a point of finding the securities, or would not incur sudden and unexpected blows by venturing without them. At this moment there exists in London a weekly journal called *The Index*, of which the object is to vindicate the Southern cause during the war which rages on the other side of the Atlantic. Its pages have been thought to give a more lively and dramatic view of that extraordinary contest than any other source of printed information. It has evidently been set up by Southern gentlemen without a view to profit. Considering how seldom the Act of 1819 is enforced, they might well have omitted to enter into the recognizances. In such a case, a Government who wished to act a servile part towards the Minister from Washington, might bring the terrors of the law upon them. I have thus brought before your Lordships the class of hardships which the Act of 1819 may from time to time inflict, and the class of journals against which it may be mischievously pointed.

But even if proprietors and publishers were very seldom injured by it, the State would still be a loser by its action. Registration of newspapers, which the late Government were bent upon preserving, and which the House of Commons has preserved, becomes defeated by securities. The proprietors avoid the registration, because, unless they did, they would be compelled to find the sureties. There are hundreds of journals unregistered at present, all of which might register if securities were abrogated. To comply with the law upon securities, about eighteen persons have to take part in the transaction. No wonder, therefore, that the publishers avoid it when there is little hazard of detection. But in avoiding it, they must avoid the registration also. By keeping both weapons on the statute-book both of them are neutralized.

It ought to be remembered, that when, in 1799, Mr. Pitt introduced a measure to restrain the press in a period of revolutionary ferment, he never ventured to exact securities from printers. In his speech of April the 19th in that year, he laid down with accuracy the restrictions which appeared to him to be desirable. The name of the printer was to be attached to publications. There was to be a register of printers and of presses kept by private persons; and last of all, a register of types and of persons to whom they were sold. Mr. Pitt at that time was unopposed, and could carry any measure which he offered. To exact securities of publishers had no place in his scheme. And yet so vulgar an expedient was hardly beyond the reach of his fertile and capacious mind when brought to bear on every detail of the subject. The more natural presumption is, that he considered and rejected it. Do our times demand restraints which Mr. Pitt in 1799 refused to fasten on his country?

If, therefore, the noble and learned Lord persists in his intention, these are the positions which he is bound to overthrow: that the whole system of the Six Acts was far from commanding public approbation at the time it was brought forward; that the Act by which securities were required from publishers and printers was most of all resented; that the circumstances which alone suggested or excused it have no place at present; that the abolition of the stamp duties takes away the means of enforcing the law with regularity; that registration, which the late Government alone desired to preserve, suffers from the attempt to go on with securities; and last of all, that by his Act of 1799 Mr. Pitt at once excluded and condemned them.

It may, indeed, be true that by repealing the Act of 1819 we shall put an end to no extensive wrong, grant no considerable boon, and do little to be felt at all by the press or by the public. At the same time, to abrogate restrictions no longer called for can never be entirely unprofitable. It must tend to raise the character of Parliament. Since 1832 our policy has been to obliterate the traces of encroachment on settled rights, and to take away laws which were only passed because the country had not then the power to forbid them. To that policy we owe, at least in some degree, the remarkable tranquillity and matchless spirit of the people; and to that policy, by passing this Bill, your Lordships would make a safe, although, indeed, an unambitious contribution. The noble and learned Lord will find arrayed against him the authority not only of the celebrated man who opposed the Act of 1819 when it was started; not only of the House of Commons, which has twice unanimously voted its repeal; not only of Mr. Pitt, whose moderation has exposed it, but of his colleagues in the late Government who could only speak on such a point with his concurrence. But if he deems it right to be insensible to the engagements of the past, is it wise in him to overlook the voice and counsels of the future? In the ordinary course of things, those with whom he acts may by-and-by resume the offices they quitted. Does he imagine that a party which, not bound by previous declarations, transferred India from the Company to the Crown, proposed to take away the distinction of the town and county franchise, admitted the Jews to Parliament, will, when sitting upon this side of the House, venture to maintain the Act of 1819, after express and open pledges to abandon it? Should he not, therefore, pause before he allows those who feel interested in the

Bill before you to go away with this expression on their lips and this conclusion in their judgment—that a moderate and limited concession which they could not gain from the justice, from the self-control, from the recorded words and plighted faith of Opposition, they will by-and-by command from the embarrassments of power? My Lords, I move the second reading of the Bill.

Moved, That the Bill be now read 2^a.

Lord CHELMSFORD thought their Lordships had some reason to complain of the manner in which they had been treated in regard to this and similar Bills. This measure—or a measure very similar to this—had been sent up from the House of Commons every Session for three successive years. In the year 1860, at a very early period of the Session—namely, on the 7th February—a Bill to repeal the clauses of the Act of 1799 relating to printers, type founders, and the proprietors of printing presses, was brought up, and application was made to several noble Lords to take charge of it; but they all declined, and it lay on the table for five months utterly disregarded, waiting for some charitable hand to take it up. At length the noble Lord who had just spoken, pitying its destitute condition, consented to bring it before the House. He (Lord Chelmsford) proposed to the noble Lord to assent to the repeal of certain clauses which he believed were obsolete, and to retain those which he held to be still necessary; but the noble Lord would not agree to that arrangement; and the consequence was that he felt compelled to oppose the Bill, which was thrown out by thirty-six votes to ten. In the following year the Bill was brought up on the 30th of July, and the second reading fixed for the 2nd of August, though the Session terminated on the 6th of August. The noble Lord, however, on the advice of the noble Earl opposite (Earl Granville), withdrew the Bill for the Session; a noble Earl at that time said that the Bill was dead and gone. Gone it might be, but dead it was not, for here it was before them for the third time, and they must deal with it on its merits. His first objection was to the form of the Bill, which was of the most inconvenient description. It proposed in general terms to repeal the whole of two Acts of Parliament, with the exception of a single clause, without informing the House what those provisions were, and what would be the effect of repealing them. Nothing could be more inconvenient than to draw up Bills in such a form. The noble Lord said that by the repeal of the stamp duty upon newspapers various clauses of the 60 *Geo.* III. had become inapplicable. That was no doubt correct; but there were other clauses which would require very careful consideration before their Lordships could give their assent to the repeal of them. Several, he thought, ought to be retained for the security of the public. One clause of that Act required that every printer of a newspaper, before he began to print it, should enter into a bond with two sureties, conditioning for the payment of any fine which might be imposed on the printer for any blasphemous or seditious libel which he might publish. There was also another clause, empowering any judge or justice of the peace before whom any such person charged with publishing a libel might be brought, to require him to enter recognizances. The 1 *Will.* IV. not only increased the penalty upon the bond, but also extended the conditions, and made the sureties liable to pay the damages which any person might recover for any libel which the printer might publish. Why were these securities which had been so carefully provided for the protection of the public to be withdrawn? The noble Lord had not advanced any argument why they should be abolished, nor was there any statement of the reasons in the preamble of the Bill. The noble Lord said that the newspaper stamp duty being repealed, great encouragement was given to the publication of cheap newspapers, and that persons of slender means would engage in this business if this Bill were passed. He should have thought that the conclusion of the noble Lord would have been the very reverse of that which he had drawn from the premises he laid down. It was well known that a few years ago newspapers of a low character were published for the purpose of extortion, by the publication of libels, and therefore he should have thought it necessary to continue those Acts which gave security to injure parties for obtaining satisfaction. Besides, these Acts operated as some security also for the good behaviour of the publishers, who were not likely to induce persons to become security for them unless they were known to be of respectable character. Believing that there was no protection for the public unless these securities were retained, he should move that the Bill be read a second time that day three months.

Amendment *moved,* to leave out "now" and insert "this day three months."

EARL GRANVILLE said, he did not agree with the noble and learned Lord, and should be perfectly prepared to vote with his noble Friend on the ground taken by the Law Officers of the late Government—namely, that it was useless to maintain upon the statute book Acts which were practically obsolete, and which were never enforced. At the same time, the manner in which the Bill had been drawn was such that their Lordships were not likely to pass it in its present shape, and he would therefore suggest to his noble Friend that the Bill should be withdrawn, in order that it might be better adapted to effect the object which he had in view.

LORD CAMPBELL entered into some reply to the observations of Lord Chelmsford, although he was content to rely on the shelter which the late Government had given to the principle of the Bill. As his noble Friend the President of the Council, although prepared to vote with him (Lord Campbell), would not be supported by all his Colleagues in the House, he should ask leave to withdraw the Motion for the second reading.

LORD CHELMSFORD could not agree to its withdrawal; the Bill must be negatived.

On Question, That "now" stand part of the Motion? *Resolved* in the *Negative;* and Bill to be read 2ª on *this day three months.*

METROPOLIS LOCAL MANAGEMENT ACTS AMENDMENT BILL.

[BILL NO. 173.] SECOND READING.

Order of the Day for the Second Reading read.

LORD EBURY said, that the allegations contained in the Petitions which had been presented to their Lordships that evening had been largely entered into in the House of Commons. This was a Bill second in importance to none which had come up to their Lordships' House, inasmuch as it affected the personal comfort of every Member of the House. It was rather late in the Session to ask their Lordships to consent to an act of upwards of 100 clauses, but he hoped to be able to convince their Lordships of its necessity, and he trusted that they would consent to proceed with it. The delay which had occurred was not due to any fault of the promoters, but to the severe ordeal which the Bill had gone through during the last three years in the House of Commons. Up to the year 1848 the Municipal Government of the City was in the hands of boards of sewers, to administer which there were upwards of 100 local Acts. In that year these boards of sewers were consolidated. It was then proposed to undertake a vast scheme of drainage, to raise large sums of money, and to enter into arrangements with the corporation of the City. Parliament accordingly not only established a new government for the metropolis, but they did away with nearly 200 other local Acts. This was effected by means of the Metropolis Local Management Act of 1855. Their next attempt was to apportion the debt for these works according to the benefits derived by the various districts. That attempt, however, only resulted in an immense amount of dissatisfaction, which had not yet subsided. It was not to be expected that an Act with powers so various should work satisfactorily without requiring amendment. In the year 1858 another Act was passed, by which authority was bestowed upon Government to give security for the loan of £3,000,000, for the main drainage scheme, which was to be levied by a rate for forty years upon the inhabitants of the metropolis alone. In this Act the principle was recognised of allowing rates to be levied all over the metropolis in the shape of official rates, and not according to the amount of local benefit conferred, which had previously been the system. In the course of this legislation some difficulty arose in reference to some debts due, which it had been in vain attempted to apportion according to the amount of local benefit derived from the money. In 1860, however, a Bill was introduced into the House of Commons to remedy this difficulty, and also some other defects which existed; and the Bill having been referred to a Select Committee of five was passed by that House, and sent up to their Lordships. In 1861 a similar Bill passed the Commons, and early in the present Session the Bill now in question was introduced, and it had the same object as the two which had preceded it. The Bill had passed through the House of Commons with singular unanimity and without a single division. He assured their Lordships that there were provisions in it as to borrowing money and as to other matters which it was most desirable to pass, and the postponing of which until another year would cause great inconvenience. He therefore trusted their Lordships would consent to the Motion for the second reading of the Bill.

Moved, That the Bill be now read 2ª.

LORD RAVENSWORTH opposed the Bill, and recommended that it should be postponed until next Session. It contained very arbitrary and despotic powers of taxing property for the purposes of drainage, which their Lordships would do well to consider carefully before they sanctioned them. He moved that the Bill be read a second time that day three months.

Amendment *moved,* to leave out "now," and insert "this day three months."

LORD LLANOVER said, that experience had shown that the Act of 1855 required amendment, but there were many provisions in this Bill which he thought objectionable and improper. It would be quite impossible to deal with such a measure in a Committee of the Whole House, and he therefore hoped that his two noble Friends, who proposed and who opposed the Bill, would consent to refer it to a Select Committee.

LORD EBURY should have no objection to allow the Bill to go to a Select Committee.

LORD RAVENSWORTH said, that upon that understanding he would withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Original Motion *agreed to;* and Bill read 2ª accordingly, and *referred* to a Select Committee.

And on the Monday next, Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bill; namely—

The Marquess of BATH,
The Lord RAVENSWORTH,
The Lord EBURY,
The LORD EGERTON (Chairman),
The Lord LLANOVER.

Agreed to; and the said Lords appointed accordingly.

POOR RELIEF (IRELAND) BILL.

[BILL NO. 166.] COMMITTEE.

House in Committee (according to Order).

Clause 1 (For charging Expense of Relief).

Lord Ebury

LORD LIFFORD *moved* the omission of the word "immediately," in order that persons might not have any reason to induce the poorer classes to remove from their residences and thus become chargeable to another union.

THE DUKE OF NEWCASTLE said, he should be willing to accede to the Amendment if the Irish Peers present desired it.

Amendment *agreed to;* Clause as amended to stand part of the Bill.

Clause 2 (Tenth Section of 10 *Vict.*, c. 31, repealed).

THE MARQUESS OF WESTMEATH said, no provision of the present Poor Law had been better considered than the Quarter-Acre Clause, and he saw no reason why it should be repealed.

THE EARL OF CLANCARTY said, that the present law operated harshly in many cases, and he should therefore support the clause.

THE EARL OF LEITRIM said, that the bringing forward this clause by the Government was a breach of faith; and if it was acceded to, extermination of the labouring classes would be common in Ireland, and it should be recollected that the population was already sufficiently reduced.

THE EARL OF DESART objected to the repeal of the Quarter-Acre clause, and therefore thought that this clause should be struck out. There might be cases of hardship under the present law; but for the sake of the landlords, and considering that the holders of small quantities of land in Ireland were semi-farmers, semi-labourers, and semi-paupers, he trusted it would not be repealed.

THE EARL OF ST. GERMANS said, that under the present law the wife and family of a man holding a quarter of an acre of land might be taken into a workhouse and receive relief, though the man himself could not receive relief.

THE MARQUESS OF CLANRICARDE dissented from the noble Earl's view of the law. He wished to know who had petitioned in favour of a repeal of the law? There was not, in his opinion, any necessity for an alteration.

THE DUKE OF NEWCASTLE said, the repeal of the Quarter-Acre Clause had been recommended by the Select Committee of the House of Commons, one of whom was the hon. Member for Galway (Mr. Gregory), who originally proposed it, and who had recently stated in his place in the House of Commons that the clause was, from the altered state of the times in Ireland, not only unnecessary, but absolutely prejudicial to the labouring classes of Ireland.

The Earl of DONOUGHMORE thought it would be beneficial if the Quarter-Acre Clause were repealed as regards in-door relief; but that this class of tenants should not be entitled to receive out-door relief. If the present clause were retained as it stood, the law was liable to be abused to the prejudice of the industrious ratepayers. He should therefore move that the clause be struck out.

The Duke of NEWCASTLE said, that he had no objection to the Amendment, which he considered would be a great improvement in the present law.

The Earl of DERBY observed that he was opposed to the extension of the system of out-door relief in Ireland. He would therefore support the Amendment; but if it were not adopted, he would vote in favour of the clause, which was based on the unanimous recommendation of the Select Committee of the House of Commons.

Motion (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clause 3 (Guardians may admit any poor Person requiring Medical or Surgical Aid in Hospital).

The Earl of DONOUGHMORE moved that the clause be omitted. He contended, that if these union-hospitals were established, the result would be to destroy the system of county infirmaries, which worked extremely well. The county infirmaries were very popular, as was shown by the fact that in the four years from 1858 to 1861 the number of patients were 160,000, 184,000, 180,000, and 186,000; and they were also very useful for teaching young men the medical profession, a purpose for which it was not likely that the union-hospitals would be used. He did not deny that in some counties it was desirable to increase the number of hospitals, but surely this was no reason for destroying a system which worked well, in order to substitute one of which they knew nothing. He would mention another circumstance, and that was, that of late years there had been attempts to transfer charges from the county rate to the poor rate; and the reason of this was that by arrangement in Ireland the tenants paid the whole of the county rate, whilst to the poor-rate the landlords contributed one-half.

The Earl of LEITRIM urged, that the Bill should be withdrawn, as it settled nothing and unsettled everything.

The Duke of NEWCASTLE said, that the hospitals in Ireland were not sufficient to supply the wants of more than two-thirds of the population, while there was accommodation in the Irish workhouses for 92,000 more inmates than were received even in a time of distress; and the proposal was, to appropriate a portion of the surplus accommodation to hospital purposes. There was no intention to supersede the infirmaries, and all that could be said, was that rival institutions would be established. But with the reputation and favour which the infirmaries enjoyed there need be no fear of injuring them. In large counties the hospitals were useless to a large portion of the people in consequence of their great distance from the places where they resided, and this Bill would be a cheap and effectual mode of providing a remedy for that defect. He sincerely hoped that the Committee would agree to the clause.

On Question, Whether the said Clause shall stand part of the Bill? their Lordships *divided:* — Contents 27; Not-Contents 29: Majority 2.

CONTENTS.

Newcastle, D.
Somerset, D.

Westmeath, M.

De Grey, E.
Ducie, E.
Granville, E.
Romney, E.
Saint Germans, E.
Wicklow, E.

Clancarty, V. (*E. Clancarty.*)
De Vesci, V.
Leinster, V. (*D. Leinster.*)
Lifford, V.
Torrington, V.

Chichester, Bp.
Worcester, Bp.

Camoys, L.
Carew, L.
Clonbrock, L.
De Tabley, L.
Foley, L. [*Teller.*]
Harris, L.
Mont Eagle, L. (*M. Sligo.*)
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rivers, L.
Saye and Sele, L.
Sundridge, L. (*D. Argyll.*)

NOT-CONTENTS.

Bath, M. [*Teller.*]
Salisbury, M.

Bandon, E.
Cathcart, E.
Derby, E.
Desart, E.

Lucan, E.
Mansfield, E.
Powis, E.

Dungannon, V.
Hutchinson, V. (*E. Donoughmore.*) [*Teller.*]

Strathallan, V.

Abinger, L.
Brodrick, L. (*V. Midleton.*)
Chelmsford, L.
Churston, L.
Clarina, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Denman, L.
Granard, L. (*E. Granard.*)
Grinstead, L. (*E. Enniskillen.*)
Redesdale, L.
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Sondes, L.
Templemore, L.
Tyrone, L. (*M. Waterford.*)
Worlingham, L. (*E. Gosford.*)

Resolved in the *Negative.*

Clauses 4 to 6 *struck out.*

Clause 7 to 10 *agreed to,* with Amendments.

Clause 11 (Religious Education of Children, the Religion of whose Parents is not known.)

VISCOUNT DUNGANNON said, this was the most objectionable and absurd clause in the entire Bill. Under its provisions, a child found by a Quaker, a Jew, or an Anabaptist, was to be registered in the religion of the finder. He moved to omit from "Orphan" to the end of the clause.

THE DUKE OF NEWCASTLE said, the existing law was a dead letter, and Law Officers of the Crown at different times had given conflicting opinions. Such perplexity had been felt with regard to this question that at last a Bill was brought in, directing the child to be registered in the religion of the majority of the guardians. It was easy to see into what strife Poor Law boards would be plunged by such a regulation. Another proposal was to decide the point by the religion of the majority of the inhabitants of the district; but there were districts in Ireland where the population was pretty evenly divided between Protestants, Presbyterians, and Roman Catholics. It was said that this question was a very important one and ought not to be left to chance; but, not to say it profanely, what was the religion of anybody but chance? The finder was the person in whose religion the child ought properly to be registered, because the child properly belonged to him, and no one except the parent had a right to take it out of his hands.

THE EARL OF BANDON opposed the clause, and trusted their Lordships would not by, agreeing to it, sanction a breach of the law at present in force.

THE EARL OF WICKLOW thought that in cases of the kind referred to the religion of the State should be the one in which the children should be brought up; and if the noble Viscount would alter his Amendment, by simply moving the rejection of the last four lines of the clause, he would support him.

VISCOUNT DUNGANNON had not the slightest hesitation in accepting the suggestion of the noble Earl.

THE EARL OF LEITRIM suggested that if there was any difficulty about the enforcement of the existing law, the Poor Law Commissioners might send down a sealed order.

On Question, Whether the words proposed to be left out shall stand Part of the Clause? their Lordships *divided*:—Contents 24; Non-Contents 26: Majority 2.

CONTENTS.

Newcastle, D.
Somerset, D.

Ailesbury, M.

De Grey, E.
Ducie, E.
Granville, E.
Saint Germans, E.

Leinster, V. (*D. Leinster.*)
Torrington, V.

Worcester, Bp.

Camoys, L.
Carew, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Foley, L. [*Teller.*]
Granard, L. (*E. Granard.*)
Harris, L.
Mont Eagle, L. (*M. Sligo.*)
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rivers, L.
Saye and Sele, L.
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)

NOT-CONTENTS.

Westmeath, M.

Bandon, E.
Cathcart, E.
Powis, E.
Romney, E.
Wicklow, E.

Clancarty, V. (*E. Clancarty.*) [*Teller.*]
De Vesci, V.
Dungannon, V. [*Teller.*]
Lifford, V.

Chichester, Bp.

Brodrick, L. (*V. Midleton.*)
Churston, L.
Clarina, L.
Clements, L. (*E. Leitrim.*)
Clonbrock, L.
Colchester, L.
Congleton, L.
Denman, L.
Downes, L.
Grantley, L.
Grinstead, L. (*E. Enniskillen.*)
Redesdale, L.
Silchester, L. (*E. Longford.*)
Tyrone, L. (*M. Waterford.*)
Worlingham, L. (*E. Gosford.*)

Resolved in the *Negative;* Then the said clause, as amended, was *agreed to.*

Remaining Clauses *agreed to;* Further Amendments made: Report thereof to be received *To-morrow* [Bill No. 197].

House adjourned at a quarter before
Eleven o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 17, 1862.

Minutes.] — Public Bill. — 3° Jamaica Loan (Settlement).

WEIGHTS AND MEASURES (IRELAND) ACT (1860) AMENDMENT BILL.

[BILL NO. 200.] COMMITTEE.

Bill *considered* in Committee:—

(In the Committee.)

Clause 2 (Short Title).

Sir ROBERT PEEL intimated that in order to embrace the new clauses he had introduced, it would be necessary to alter the title of the Bill as follows:—

> "A Bill to amend the Weights and Measures Act of 1860, and to abolish local Customs and Distinctions in reference to Weights and Measures, and to regulate the Standard of Weights and Measures generally."

Clause *agreed to;* as were also clauses 3 and 4.

Clause 5 (Certain Head and other Constables to be *ex-officio* Inspectors of Weights and Measures).

Sir HERVEY BRUCE complained that the appointment of Inspectors under this Act should be left to the Inspector General of Constabulary, subject to the approval of the Lord Lieutenant, and that the magistrates of the county should have no voice in the matter. He proposed the insertion of words to provide the appointment of Inspectors under the Bill should be approved of by the justices of the peace of the district to which the Inspector was appointed.

Amendment proposed,

> In page 2, line 14, after the words "Lord Lieutenant," to insert the words "and justices of the peace of the said district."

Sir ROBERT PEEL opposed the Amendment, urging that its adoption would be to continue an inconvenience now generally complained of. There was no desire to treat the magistrates with disrespect, but it was far more convenient to leave the appointment of these Inspectors in the hands of the chief of the Police, with the assent of the Lord Lieutenant. To meet the objection, however, he was not unwilling to insert words giving to the magistrates control in the way of approval, but providing, that if they do not approve within a month after the appointment, then the appointment of the Inspector General should stand.

Mr. MAGUIRE approved of the proposal of the Chief Secretary.

Mr. SCULLY said, the proposal of the right hon. Gentleman, though a specious one, would not effect the object which the hon. Baronet opposite had in view. The important question involved in this matter was whether the management of local affairs was more and more to be handed over to the constabulary authorities, and the local magistrates entirely superseded.

After some discussion,

Sir GEORGE GREY said, that the proposal of the opposition went beyond the existing law, which gave the power of selection to the Inspector General of Police, but requiring the approval of the magistrates. He thought the object would be met by a proviso to this effect, that if within one month of the date of the selection the justices shall signify their disapproval of the person selected, another selection should be made by the same authority and subject to the same conditions.

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 15; Noes 36: Majority 21.

Sir GEORGE GREY then proposed the following proviso:—

> "Provided, that if within one month from the date of such selection, the justices shall signify their disapproval of the selection of any head or other Constable, another selection shall be made by the same authority, subject to the same conditions."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses from 6 to 10 were likewise *agreed to.*

Clause 11 (The Act shall extend throughout Ireland).

Mr. HENNESSY said, that the Select Committee on Weights and Measures had just agreed to a Report, which was laid on the table on Tuesday, in which they recommended the adoption of a uniform system of weights and measures for the whole of the United Kingdom. He therefore moved that the word "Ireland" be omitted, and the words "United Kingdom" substituted.

Sir GEORGE GREY said, that the short title of the Bill was "The Weights and Measures (Ireland) Amendment Act," and the whole of the clauses applied to Ireland. It was, no doubt, desirable that uniformity of weights and measures should prevail, but this object could not be carried out in a Bill applicable to Ireland alone.

Amendment *negatived.*

Clause *agreed to;* as was also Clause 12.

Clause 13 (Mode of Weighing. Deductions prohibited).

Mr. HENNESSY said, that the butter trade of Ireland was centred in Cork, and practical objections were felt by the butter merchants of that city to weighing under this clause the large quantity of butter sold in that city. The country farmers were in the habit of soaking the firkins to increase the weight; so that if no deductions were allowed, it would be necessary to strip 2,000 firkins of butter every day, and in hot weather the butter would be floating about the market. The clause would not only interfere with the freedom of trade, but since deductions were allowed in the London, Liverpool, Glasgow, and other English and Scotch markets, the Irish merchants would not be able to compete on equal terms with the merchants of other parts of the kingdom. He did not object to the uniform abolition of deductions. The clause, moreover, was opposed to the principle of the recommendation of the Weights and Measures Committee, which was that one uniform system should be adopted throughout the whole kingdom.

House *resumed.*

Committee report Progress; to sit again *To-morrow* at Twelve of the clock.

INDIAN CIVIL SERVICE.—QUESTION.

Mr. VANSITTART said, he would beg to ask the Secretary of State for India, Whether his attention or that of his Council has been directed to the Memorials of Her Majesty's Covenanted Civilians, praying for the redress of certain grievances?

Sir CHARLES WOOD said, that the Memorial in question had received the attention of himself and of the Members of his Council; but the question required very considerable attention, especially as the circumstances of the memorialists in the three Presidencies were different, and their requests different, and where there were also certain arrangements of a complicated character that must be gone into. He quite agreed that the case was one which required action on the part of the Government, and he could assure his hon. Friend that it should receive the most careful consideration from himself and the Council of India.

THE NORTH WEST PROVINCES OF INDIA.—QUESTION.

Mr. ARTHUR MILLS said, he wished to ask the Secretary of State for India, Whether any official information has been received by the Government with respect to the rumoured symptoms of disaffection in the North West Provinces?

Sir CHARLES WOOD in reply said, he had received no official information whatever upon the subject. He had heard from private letters that there appeared to be a disposition for some movement on the part of the Mohammedan population; but the Government were aware of what was going on, and they did not consider that there was the slightest cause for apprehension.

THE NAVAL ESTABLISHMENT IN CHINA.—QUESTION.

Colonel SYKES said, he rose to ask the Secretary to the Admiralty, Whether the 1,000 supernumerary Officers, Engineers, Seamen, and others, said to be now on board Her Majesty's Ship *Sanspareil,* under orders for China, are surplus to the regular Naval Establishment in China, or are intended to fill up vacancies; and, in case they are surplus, how they are to be employed?

Lord CLARENCE PAGET replied that the *Sanspareil* had been sent out with reliefs to the gunboats upon the Indian station, the time of service of a considerable number of the Officers and men having expired.

VOTE OF CREDIT FOR CHINA.
QUESTION.

General PEEL said, he wished to ask Mr. Chancellor of the Exchequer, If it is his intention to ask for any vote of credit on account of China during the present Session? He wished also to ask, Whether, if that be the case, any portion of the amount will be applicable to the service of the present year; and if it be not so, out of what fund the expenses not provided for in the Estimates are to be met?

The CHANCELLOR of the EXCHEQUER replied, that the right hon. Gentleman had put a question of which he had not given notice, as well as that of which he had given notice, and he could only answer with respect to the subject to which the question on the Paper referred. There was no intention to ask the House for any Vote of Credit on account of China. There was an unexhausted authority remaining upon former Votes of Credit of about £700,000, and the expenses of the year on account of the Vote of Credit would be, as he had estimated them in March last, about £500,000. He was not aware that that Vote would be applicable to any operations that had taken place since the pacification of China. Certainly the purpose for which it was asked was to complete the payment on account of the war with China; and, speaking without the power of any minute investigation, his impression was that the application must be exclusively confined to the settlement of that account. If the right hon. Gentleman, however, required further information upon that point, he would give it with perfect precision on a future day.

SLAVERY AT LAGOS.—QUESTION.

SIR FRANCIS BARING said, he rose to ask the Under Secretary of State for the Colonies, Whether any Ordinance has been issued by the Governor of Lagos for the registry of slaves there; and whether Government has issued any directions with respect to persons who were in a state of slavery at Lagos at the time when it became a British Possession; and, if so, whether there is any objection to laying these directions upon the table?

MR. CHICHESTER FORTESCUE said, in reply, that the affairs of Lagos were so new to the Colonial Office that he was afraid he should not be able to give so much information as the right hon. Gentleman might wish to have. But with respect to the first part of the question, he had no knowledge whatever of any such Ordinance having been issued at Lagos. With respect to the second part, no directions had been sent out on the part of the Secretary of State upon the subject of slavery; but his noble Friend at the head of the Colonial Department was fully alive to the great importance of the question, and had called for full information from the Governor by the next mail.

THE POLICE—FELONIOUS ASSAULT ON A MEMBER.—OBSERVATIONS.

LORD HENRY LENNOX said, he wished to ask the Secretary of State for the Home Department whether any information had reached him respecting the recent assault on the person of a Member of that House (Mr. Pilkington); and in doing so hoped the House would indulge him for a few minutes while he stated the circumstances of the assault which had lately been made on the hon. Member for Blackburn. The hon. Member left the House at one o'clock on Tuesday morning, having been attending his Parliamentary duties up to that hour; he had reached Waterloo Place, and was passing the Guards' Monument, when an assault which reduced him to a state of insensibility was suddenly made upon him, but whence it came or by whom it was made he did not know. The hon. Gentleman remained for some time insensible on the pavement, but was at length conveyed to his hotel, where, on examination, he was found to have suffered severe personal injury, his jaw bone being much cut; there were several contusions on his head, and a suspicious pain round his throat, which indicated to the medical men the nature of the garotting instrument that had been applied to this gentleman in one of the most crowded thoroughfares. He trusted, therefore, that he should not be considered overstepping his duty if he asked the Home Secretary to give the House an asusrance that he would put himself in communication with the Chief Commissioner of Police, with a view of providing that all possible care should be taken to prevent the recurrence of such an outrage.

SIR GEORGE GREY said, that directly he heard of the assault he called upon the police authorities for a report of the circumstances, and he found that they very much resembled the account which the noble Lord had given to the House. It appeared that no one had witnessed the assault except those who committed it. The thoroughfare where it occurred was at times crowded, but at the hour when the outrage was committed few persons were usually there. Five police constables were on their respective beats in the neighbourhood, and were totally unaware of the occurrence, until a person went up to one of them and told him that a man was lying in a state of insensibility on the pavement, not far from the monument. The police immediately went to the spot, but found no one there; the fact being that the hon. Member, though seriously injured and partly stunned by the blow, was able to find his way to his hotel; but he had but an imperfect recollection of the circumstances which had occurred. The hon. Gentleman was robbed of his watch, but not of the money which was in his pocket. It appeared that on the same night, in another part of London—in Piccadilly, between St. James's Street and the corner of Bond Street—a similar assault, almost identical in character, was committed on the son of a gentleman connected with the British Museum (Mr. Hawkins), who was robbed of his watch and not of the money he had about him. In this case a police constable was almost on the spot, but did not see the assault, though he was able to render immediate assistance. The injured person was unable to state what had occurred, his mind being in a state of confusion from the suddenness and nature of the assault. It was impossible, of course, for a policeman to be in every spot where a gentleman happened to be assaulted, but in the latter case a policeman was immediately in attendance and afforded relief. An accurate description of the two watches had been given, and he hoped this would lead to the discovery of the robber or robbers. It was not improbable that it was the same person or party who committed both assaults. It was remarkable that in neither case was any attempt made to take away the money of the person assaulted, and this seemed to show that the object was, when nobody happened to be close at hand, to inflict a blow which should stun the victim and then to seize the watch of the person assaulted without staying to rifle the pockets. Directions, however, had been given by the police authorities, and precautions taken, which it was not necessary for him to state, but which he hoped would afford additional security against the perpetration of similar outrages.

EAST INDIA REVENUE ACCOUNTS.

FINANCIAL STATEMENT.

East India Revenue Accounts—*considered* in Committee:—

(In the Committee.)

SIR CHARLES WOOD rose and said: Before I proceed to the substance of what I have to address to the Committee, it may be as well that I should explain the nature of the proceeding which I propose for their adoption. On recent occasions, when the financial statements with respect to India have been made, either by the noble Lord opposite or by myself, it has been when powers have been asked from this House to raise money for the service of India. On the last occasion—in July last—fearing that the railroad companies might not be able to raise as much money as would be required for the expenditure on account of railroads for the year, I took the precaution of asking power from the House to raise money for the purpose. I am happy to say that the railroad companies have succeeded in raising more than the sum required, and I have not availed myself of the power intrusted to me by the House. This year the finances of India are in such a state, though not quite so flourishing as at one time was represented, that it is not necessary for me to ask the House to intrust me with any power for raising money. In order, therefore, to lay ground for the statement I am about to make, I have reverted to what was the practice of the House before the last year or two, and, referring the Indian accounts to a Committee of the Whole House, I shall move in the Committee certain formal Resolutions. It may be desirable also that I should caution hon. Gentlemen, that some confusion may arise from our having to deal with the finances of three separate consecutive years. The Chancellor of the Exchequer of this country deals with the last year and the coming year; but, owing to accelerated communication with India, we have now the financial state of India for three years before us at the same time. This year I shall have to refer to the accounts of 1860-1, to what is called the regular estimate of the year 1861-2, made up towards the close of that year, and to the budget estimate made before the beginning of the year as regards 1862-3. The Resolutions, however, which I shall move will have reference simply to the year 1860-1, though it will be my duty to state what probably will be of more pressing interest—the prospect of the Indian finances for 1861-2 and 1862-3. Before doing that, I must place the House in possession of what I believe to be an accurate statement of the accounts for for 1860-1, and of the estimates for those two latter years; and I cannot, therefore, avoid referring to the differences between the Home Government and the Government of India on this subject, which appear in the correspondence on the table of the House. It is painful to me to do so, as I see that they have been represented by some persons as personal differences between Mr. Laing and myself. I can only say, on that point, that no personal feeling of difference exists on my part towards Mr. Laing. I can appeal to many common friends to say whether I have not acted in a most friendly way with Mr. Laing. We have been in constant communication, and during the last year, when he was in this country, the most unrestricted communication took place between him, the members of the Indian Council, and myself; and I was not aware that there was any difference between us on any Indian questions, or, until this matter arose, as to the principle on which the Indian accounts and estimates should be taken. I postponed the present discussion to this evening in order that Mr. Laing might be able to send to me a memorandum in explanation of the points commented upon in the despatch of the 9th of June, expressing my readiness to lay on the table any explanatory statement on his part. I thought that was due to him, though he was only an individual member of the Government of India. Obviously, however, any answer to a despatch addressed to the Government of India ought to proceed from them; and it must be observed, that for the opinions expressed in that memorandum he alone is responsible, and not the Government of India. He refers to the general financial policy of the Indian Government, and to Lord Canning's general policy. I have approved of the former, and to the latter I have given the most unqualified support. There is, however, one point on which I must be permitted to say a word; because, if anything personal is introduced into this discussion, it arises, I think, in the tone of Mr. Laing's memorandum rather than in anything that has proceeded from the India Office. There are statements made in that memorandum which, if true, would place me in the strange position of having said one thing to one man and a different thing to another. Mr. Laing states, that if he had acted on the suggestion or in accordance with the opinion of the Home Government, the 10 per cent duties on manufactured goods would now be in existence. That is a statement which he is not justified in making, and for this reason, that so long ago as April, 1861, I wrote a despatch, stating that in my opinion the duties were too high, "and that it would be consistent with sound policy to reduce them as soon as our financial condition admitted of the reduction." That view was enunciated in a public despatch of a year ago; but I also early in the present year wrote to Lord Elgin and also to Mr. Laing, stating it to be my opinion and wish that the 10 per cent duties should be reduced. I gave them no instructions to reduce them, because I was not aware of the financial position of India at the moment, while I thought it but fair that they should have the credit of making any proposal for reduction which they might think proper. Mr. Laing, therefore, is quite incorrect in saying, that if he had acted in accordance with the views of the Home Government, the 10 per cent duties would still be in existence. I have approved of the reductions, even though they may lead to a deficit, but all these matters have really nothing to do with that which I have deemed it to be my duty to endeavour to correct—namely, the inaccuracy of the estimates and accounts which have been sent home from India, not in small matters only, but in matters of very considerable importance; the most important of them involving a principle which I think has been erroneously adopted by the Government of India, and involving an error approaching to nearly a million in each of three consecutive years. Now, this question of Indian accounts is not one which has arisen this year for the first time. It has been to me, ever since I have been at the head of the Indian Department, a source of the greatest annoyance that I have not been able to depend on the accuracy of the accounts sent home from India. There are two or three members of my Council who are well versed in subjects of this description, and I myself have been unremitting in my endeavour, in conjunction with them, to bring those accounts into a correct shape. The errors in the statements of account now lying before the House exceed, however, any with which it has hitherto been my lot to deal. These accounts are wrong in principle, whereas those previously sent home involved error merely in the mode in which they were stated. I am responsible for the accounts which I lay on the table of this House, and I must therefore see that the accounts produced to Parliament are in such a shape as I can answer for. The hon. Member for Evesham, whom I see opposite, as well as many other hon. Members, takes great interest both in India and in the accuracy of all public accounts, and I have no doubt both he and they would find great fault with me if I were to submit to Parliament statements of a nature which I could not defend. Confidence in the security of Indian Stock, which is held by so many persons in this country, and confidence in the general welfare of India, which is so important to everybody in this country, depends, to a great extent, on the accuracy of the information given with respect to Indian finance. The public generally, both in India and in this country, would have a just cause of complaint if other than correct information were furnished by the Department over which I have the honour to preside. If, for example, as is undoubtedly the case in the statements for the last year or two, items are omitted from the charge which were invariably included before, and items set down as revenue which were never previously so placed; and if these two proceedings are contemporaneous, it is obvious that a statement so framed is productive of a result utterly dissimilar from that shown in former years, without any real change of circumstances, and gives a flourishing view of finance as compared with previous accounts which is not founded on the real facts of the case. That such is the state of things, so far as relates to the Indian accounts with which I have to deal, I can, I think, without any great difficulty, demonstrate; but in order that I may be able to do so, it will, of course, be necessary that those Gentlemen who do me the honour to listen to me, and who take an interest in this subject, should pay close attention to each statement as it is made, because, although the explanation which I have to give is simple enough in principle, yet it may not be quite so easy to render its details perfectly clear. The accounts, then, on the table of the House, and on which my Resolutions depend, are those for 1860-1. The accounts for that year seem to have a sort of fatality attending them. Last year there was a statement made which took us all by surprise, to the effect that the expenditure for 1860-1 had been larger than that for 1859-60. We were assured by the Indian Government in June, 1860, that there was a large reduction, not in prospect, but actually realized, on a comparison of those two years; yet, much to our astonishment, we afterwards learnt, from the statement of Mr. Laing, in the Council of the Governor General, that the expenditure for 1860-1 was higher than that for the previous year. Nor was that surprise diminished when, on referring to the actual accounts, we found, instead of an increase in expenditure to the extent of £213,000, an actual diminution to the extent of £4,400,000. Now, as I told the House last year, Mr. Laing informed me that he had been misled by the estimates published by the Financial Department in India, with reference to the expenditure for 1859-60. I not unnaturally commented upon this in a despatch addressed to the Government of India; but I have since heard from Mr. Lushington, the Financial Secretary to the Government of India, that he did not mislead Mr. Laing in any way, and that Mr. Laing must have been perfectly cognizant of the accounts for 1859-60 having been made up at the time he made use of the estimates in his statement. I refer to this point simply in justice to Mr. Lushington, on whom I may have indirectly cast some imputation in the course of the observations which I made last year. Mr. Laing's further explanation, on which I will make no further comment, is in the papers on the table. We have now received the accounts for 1860-1, and I did not anticipate that I should have any more trouble with them. Strange to say, however, we found, when they arrived, that they contained two most singular mistakes, one involving an error to the extent of about £1,000,000, by adding a sum of that amount twice over. But on the other side of the account there was a more serious error, of about the same amount—we found the home charge reduced by about £1,000,000. We were surprised to find this to be the case, as the home charges for 1860-1 had more than once been stated with sufficient accuracy, both here and by Mr. Wilson and Mr. Laing himself in India, at about £5,300,000. We were, therefore, much astonished at finding the sum reduced to £4,300,000, without a word of explanation, except a reference to what was done in another year. It was by following the track thus suggested to us, and not from explanation afforded to us by the Government of India, that we discovered how the reduction had been made. The way in which the reduction was made, was by treating all the items included in the £1,000,000 of entries on the receipt side of the home account as items of revenue, and deducting them from the charges which appeared on the other side. I admit that a small proportion of them ought properly to be so treated; as, for instance, interest on the investment of cash balances. In the years 1862-3 I have allowed not only that deduction, but several other items of a more questionable character. But the main point at issue as to the accounts of 1860-1, which I wish to raise and to discuss separately, when I have dealt with the accounts of 1862-3, in which the same error has been made, is the question whether repayments, which constitute nine-tenths, or even more, of the whole sum deducted, can be considered to be part of the revenue of the year. In the mean time I come to the estimate of 1861-2. That estimate was sent home last year; and omitting, as we were told in the despatch of the Government of India, the loss by exchange, £473,000, and arbitrarily reducing the home charge by £317,000, making together £790,000, the charge for the year was stated at £41,554,000. From that amount the Government of India deducted £500,000, which they intended to transfer to the local budgets, and the result was a total charge of £41,054,000. Deducting that charge from the income, £41,294,000, there was an estimated surplus of £240,000. On considering that estimate at home, we did not consider that they were justified either in deducting the loss by exchange or in making a reduction upon the Home charge; and we pointed out to them, that if those two sums, together £790,000, were added, the result would show, instead of a surplus, a deficit of £550,000. Inasmuch as the loss by exchange occurs again in 1862-3, I shall defer the argument upon that question until I have gone through the estimate of 1862-3. I only wish the Committee to observe that the same reasoning applies to both years. With respect to the reduction of the home charges, there is no pretence for saying that it was in consequence of any receipt of any sort or kind. Mr. Laing states his reason for making it. It so happened that the estimate of the military charge at home in 1861-2 was, in round numbers, £1,400,000. nearly the same as in the preceding year. The estimate was made up in the Accountant's Department of the India Office. The official gentlemen in that department knew what the charge was, having every means of ascertaining it, which the Government in India had not. Mr. Laing says he naturally concluded that the sum of £1,400,000 must have been assumed at the same amount as that in the previous year. He could not give us credit for knowing what the charge was likely to be, but chose to assume that we had neglected our duty, and taken the charge merely from the amount in the preceding year. Therefore he went to the President of the Military Finance Committee and asked him what reduction ought to have been made, and then he took off one half. This is his own statement. I say he was not justified in making, on such grounds, a reduction upon the estimate sent to India from this country—an estimate, be it remembered, made up by the Department which alone possessed the means of knowing what the charge was likely to be. In what is called the regular estimate—made up long after they had received our despatch on the subject, explaining the reason for what we had done—the same omission is made, with a full knowledge of what we had explained—namely, that the reason why the military charge in 1861-2 was nearly the same as in 1860-1, was that there was an arrear of the War Office charge, not belonging to the year, but having to be paid within it. The addition of that sum to the reduced charge for the year accidentally made the actual amount to be paid about the same as that of the preceding year. Nevertheless, after that intimation, with a full knowledge of the reason why the sum happened to be the same, the sum of £317,000 was still deducted in the regular estimate. It is curious enough that in the budget estimate, in which Mr. Laing had professed to omit the loss by exchange, it had, nevertheless, by mistake been included; but when we come to the regular estimate, in which the Government of India had been instructed by the Secretary of State to insert it, we find that they have omitted it. They were obliged, being disappointed in the transfer of £500,000 to the local budgets, to add that sum to the budget estimate; but they omitted, contrary to the directions of the Secretary of State, who is supreme in that matter, the loss by exchange, and they persisted, also contrary to the instructions of the Secretary of State, accompanied by reasons, in the reduction of the home charge to which I have already alluded. The result was that the charge for 1861-2, as stated in the regular estimate sent from India, is less than it ought to have been by two sums of £473,000 and £317,000, or a total of £790,000.

Colonel SYKES: Is the right hon. Baronet alluding to the corrected estimate of April last?

Sir CHARLES WOOD: Yes; the estimate sent in the despatch of which the date is the 19th of April. Acting upon these grounds, the Government of India abandoned the licence tax. I wish now for a moment to refer to a debate which took place in this House in February, 1861, when I was supposed to have taken rather too sanguine a view of the finances o

India. At that time, no doubt, there was a very desponding view of Indian finance taken in this country, and, more than that, there was likewise a desponding view taken in India. I stated then, that if the reductions were made which I anticipated, and if the estimated produce of the licence tax were realized—namely, about £600,000—I did not despair of the finances of India being brought round in the course of the year. According to the estimates now received, there will, after the abandonment of the licence tax, be a deficit of £595,000. I hope, therefore, that those hon. Gentlemen who doubted my statements will now acknowledge that I did not speak without warrant, because, if the licence tax had not been given up, the finances of India would have been as near as may be in a state of equilibrium at the end of 1861-2. I now come to the estimate for 1862-3. Mr. Laing states, that without any alteration either in income or in charge, the former would be £43,796,000, and the latter £42,364,000, giving a surplus of £1,432,000. In this year also the loss by exchange is omitted, and the home charge is erroneously reduced to the extent of £529,000. Altogether the apparent charge for the year is reduced by £987,000, in consequence of departing from the practice of former years, and from what we believe to be sound principles of account. Deduct from the supposed surplus the amount of these two items, and it will leave a surplus of £440,000. Taxes have been repealed to the extent of £725,000, and therefore a deficit is created, according to my view of finance, to the extent of £285,000. Whether these deductions are justifiable I am now about to discuss. I have gone through the accounts and estimates of the three years. I have shown that in the first year the errors on the two sides balance each other, and therefore the real deficit is about the sum which appears, namely, £4,000,000. In 1861-2 there will, according to the last estimates, be a deficit of £595,000; and in 1862-3 there will be a deficit of £285,000. The question turns, in both cases, substantially on two points, and two points only—namely, whether it is right to omit the loss by exchange from the charges; and, secondly, whether repayments of advances are properly to be treated as income. If they are, and if the loss by exchange be properly omitted, the deficit is not what I suppose it to be. I wish, before I approach these two points, to make clear one other point, which seems to me to be an error, and which occurs more than once in Mr. Laing's memorandum—namely, the assumption that the fact of the cash balances in India having increased is a clear demonstration that there is a surplus revenue. In the first place, I must observe, that as our expenditure in this country on Indian account can only be provided out of Indian revenue, so long as we do not draw money from India there must be an increase of the cash balances in India; but that is no proof of a surplus revenue when you include the whole charge in India and here. More than that, cash balances may be increased from a variety of sources besides revenue. Cash balances may be increased by prize money, by subscriptions to the service funds; loans are paid into cash balances; and the increase of cash balances, under these circumstances, proves nothing as to the surplus of revenue. In point of fact, the truth is, that we have been led to borrow more than we wanted. In the early part of the year 1861 the Government of India represented officially, and Mr. Laing himself backed the statement very strongly, that they were in a state of great distress; that their balances would be "reduced to the *minimum* point at which it is possible to conduct the Government of India;" that they anticipated that the state of the North Western Provinces would most seriously affect the revenue; that unless they had some assistance they should be obliged to stop the public works. The state of things they represented was so bad that I sold securities here, bought a million of silver, and sent it to India. Then some of the railroad companies, upon whose payments into the Home Treasury we depended for our home expenditure, seemed little likely to be able to raise as much as would provide for that expenditure. Influenced by these various considerations, I borrowed money in this country in June, 1861, stating at the time that it was to make myself sure as to the means of meeting the home expenditure. But it turned out that the representations made to us from India, in February, were erroneous. The cash balances at the end of April were high; the Treasury in India was not pressed upon to remit for our home expenses, as we had borrowed money to defray them; and in these circumstances it was inevitable that the cash balances in

India should be increased. The fact is, that the cash balances have not increased now up to the amount of the excess of the money borrowed beyond the deficits which have had to be met by loans since the year 1858. Therefore the assertion that the increase of the cash balances is a clear demonstration of a surplus revenue is a total mistake. It is no proof under any circumstances; but when I show that the excess of loans actually exceeds the increase of cash balances, the presumption that there was a surplus revenue is entirely rebutted. I come now to the first question, that of the loss by exchange. It is rather a complicated matter, and I must beg the attention of hon. Members to what I am about to state. When the contracts with the railroads were made, the rate of exchange for the rupee was about 1*s.* 10*d.*; and in the contracts with the railroads it was provided, that the rupee should in all accounts between the railroad companies and Government be taken at that rate. As hon. Gentlemen are aware, the railroad money is paid into the home treasury, and is available for home expenditure. The revenues of India are paid into the Indian treasury, and to the extent necessary are applied to the expenditure on the railways in India. The consequence of this arrangement is, that for every 1*s.* 10*d.* we receive into the home treasury we are bound to expend a rupee in India. So long as the exchange remained at 1*s.* 10*d.* for the rupee, there was no loss or gain on either side; but when the value of the rupee rose to 2*s.*, then we became bound, for every 1*s.* 10*d.* we receive here, to spend the equivalent of a rupee, or 2*s.*, in India; and the difference between the two amounts constitutes what is technically known by the phrase "loss on exchange." When the tables are turned, when the receipts of the railways in India are remitted to this country, in payment of dividends, we shall account to the companies for 1*s.* 10*d.* only for every rupee received in India—that is, assuming a capital of a million, when we receive 545,000 rupees, in round numbers, we shall have to pay 500,000 rupees, or £50,000, for guaranteed interest, and retain the remainder (45,000 rupees) as representing 2*d.* in each rupee. Therefore, it is quite possible that we may recover what we are now paying; it is also perfectly possible that we may never recover a farthing. If the rate of exchange comes down to 1*s.* 10*d.*, we never can recover one penny of the loss. If the receipts are not sufficient to pay the interest, we never can recover a penny of it. The recovery of this money depends on the double contingency of the maintenance of the rate of exchange at 2*s.*, and the sufficiency of the receipts of the railroads to pay the guaranteed interest. The guaranteed interest is, to a certain extent, in the same condition. We pay it now out of the revenues of India. We may recover great part of it when the railroads make a sufficient return; but in the mean time the interest has been charged on the Indian revenue of the year. When we come to receive our half of the surplus profits—and I hope the day is not far distant when we shall do so—then there will be an extraordinary receipt, as there is now an extraordinary charge, on this account. In like manner the loss by exchange has always been dealt with as an extraordinary charge, and by-and-by we may from a similar source have an extraordinary receipt. Every Government in India, up to last year 1861-2, and the Government at home, has always treated this loss by exchange as a charge on the revenue of India. I wish now to call the attention of the House to the reasons recently given by the Government of India for treating it otherwise. The first reason is given at page 13 of the papers on the table of the House. The Government say—

> "We have omitted this charge, as the interest on advances to railway companies for this year must be an equivalent for any loss by exchange on remittances under existing contracts, and we take it for granted that you will not renew or modify any contracts without expunging this objectionable clause."

Now, it will be observed that in that statement the loss by exchange is admitted as a charge on the revenue, but a set-off is pleaded—namely, that we should receive from the railway companies interest on the advances made to them equivalent to the charge of the loss by exchange. If there had been such a receipt, it might have been treated as a set-off; but, unfortunately, the Government of India should have known that no such money could be received, as the only source for the payment of railway interest is the revenue of India. The proposal of the Indian Government is simply this,—that they will set off one payment against another; and the loss by the exchange, which we pay, is to be compensated for to us by the interest which we also pay upon the money borrowed in order to make advances to some of the railroad companies. When the railway companies were not able to raise money for themselves, we advanced it to them to prevent their works from standing still. That money we borrowed, and pay 5 per cent interest for it, and this 5 per cent interest that we pay on the money so borrowed is, forsooth, to be set against our loss by the exchange! In his memorandum Mr. Laing has given two reasons for this proceeding, which are to be found at page 3 of that paper. He says he will subject it to two tests. The first is—

> "Suppose the rate of exchange on account had been fixed at 2*s*. 2*d*. instead of 1*s*. 10*d*. for the rupee, should we have treated the excess as a receipt?"

Certainly, we should. And the statement I have already made shows that we propose to proceed on this principle, because if the rate of exchange remains at 2*s*., we shall account for 1*s*. 10*d*. only on each rupee that is remitted for the payment of interest, and the difference between the 2*s*. and the 1*s*. 10*d*. will be treated as an extraordinary receipt. The second test is this—

> "How can that be a charge on the revenue of the year which has certainly not been paid in the course of the year; and which, as certainly, is owing to no one at its conclusion?"

And Mr. Laing adds—

> "I appeal to this latter test with the more confidence, because in no estimate or account from England has this sum ever been entered as a charge to be paid there, or included in any demand for remittances; and it is quite certain that no one claims it in India."

No doubt it has never been included in any account transmitted from England, for the simple reason that it is paid in India. Then comes Mr. Laing's statement that "it is not paid in India." Why, it has been paid every year in India, and appears in all the Indian accounts from the beginning. The Government in India has always included it in the Indian accounts. And what is really rather staggering is, that here we have the accounts of 1860-1, transmitted by the Government of India when Mr. Laing was at Calcutta, in which there appears among the charges in India "loss by exchange on railway transactions, £469,759." How, with a document before him in which this is stated as a charge on the Indian revenue, Mr. Laing should now say that it is not paid in India, certainly passes my comprehension. Not only that, but the Government of India, or at any rate one member of it—I mean Sir Bartle Frere—speaking as the organ of the Government of India, in the Governor General's Council in July, 1861, when Mr. Laing was in England, and when they had received our despatch stating that this charge ought to be included—Sir Bartle Frere, in moving the Income Tax Bill, used these words—

> "After mature consideration, however, the Secretary of State did not think it desirable to propose any alteration in the terms of the existing contracts with the old guaranteed railway companies, and it would therefore have been necessary to have added a sum of £495,000 to the estimate of expenditure of the current year. But this will not affect the total of the estimate, for each Government had charged itself with the loss by exchange on railway capital, and the whole sum was included in the £3,096,916 there set down for 'civil and political charges, including contingencies.'"

For some years it was not stated separately; it was included in the miscellaneous charges. I myself directed that it should be shown separately; and in two, if not three, consecutive years since then, it has been shown separately as a charge on the Indian revenue paid in India—even the very last account for 1860-1, as I have said, so showing it. Then, I take the two tests which Mr. Laing himself takes, and the second—the one to which he appeals with the greatest confidence. He says it never has been paid in India. That it has been so paid I have proved from the very last accounts. Every Government has so treated it. Thinking it right that the same course should be continued, we determined that it should be included, and gave directions in the clearest terms accordingly. In spite of the positive directions of the Secretary of State to the Government of India, they have chosen to exclude that which every Government had included, and which we, the supreme authority in this matter, directed to be included, in order to give a just view of the finances of India. Hon. Gentlemen will at once see, that if that which has invariably been included in the expenditure is to be excluded in a subsequent year, you have a very fallacious account of the expenditure in India. I think, Sir, I need say no more on the subject of the loss by exchange. The next question is the repayment of advances; and on that I will again refer to Mr. Laing's own memorandum, and quote his own words, that there may be no misapprehension about the matter. He says—

"The Secretary of State says, 'it is contrary to the first principles of account to treat sums so repaid as part of the income of the year.' I must confess my surprise at such a statement from one who has filled the office of Chancellor of the Exchequer in England."

Well, I certainly have filled that office, and I repeat again, with the most perfect confidence, and with the conviction that no person in this House who has ever been Chancellor of the Exchequer will contradict my opinion, that the repayment of an advance cannot be regarded as an item of revenue. There are certain advances made from the treasury in India on account of the Imperial Government. I will enter into detail about them presently. They are repaid to the treasury of the Indian Government at home. What they are really is a transfer from the treasury in Calcutta to the treasury in London. They are not treated as items of expenditure when advanced, and of course they cannot be treated as items of revenue when repaid. Mr. Laing quotes against me great authorities—he quotes my right hon. Friend the Chancellor of the Exchequer on my right, another right hon. Friend of mine whom I do not see in the House, and also Mr. Wilson. But the cases are not in the slightest degree similar or parallel. Certain muskets were supplied to the Spanish Government, and the expense of the muskets charged upon the revenue of this country when they were made. The repayment was treated properly as an extraordinary receipt. So, in the Crimean war, stores were provided and charged upon the revenue; and when they were afterwards sold, the produce of them was properly carried to the miscellaneous receipts, according to the ordinary course and practice. The cases of what was done by Mr. Gladstone and Sir George Lewis do not, therefore, bear in the least on the question; but Mr. Laing asks—

"Or, again, was Mr. Wilson, after five years' experience as Secretary to the Treasury, ignorant of the A B C of accounts when he made a precisely similar deduction in 1860?"

My answer to that is, that I do not believe Mr. Wilson ever made "a precisely similar deduction." I cannot exactly make out to what Mr. Laing here alludes. I suppose it must be to the same thing as he mentioned at the beginning of his memorandum, where he states that Mr. Wilson with his own hand made an arbitrary reduction in the home charges. All I can say is, that there is not the slightest trace of anything of the kind in the accounts. If done at all, it must have been done in 1859-60, or the next year. Well, we have got the amount of the home charge which Mr. Wilson stated for 1859-60; we have got the amount of the home charge which we sent out to Mr. Wilson. Our charge was stated to include stores, and Mr. Wilson from it very properly deducted the charge for stores, as it was intended it should be done. We could not tell here exactly what the amount was; but the stores are always charged to the Indian account, although paid for here. We sent out, in November, 1859, a certain estimate of £5,700,000, including stores. Mr. Wilson sent home in the appendix to his speech made in February what the amount of the stores was. He deducted that from the total which we sent out, and the remainder is the sum which was properly stated by him as the whole charge, exclusive of stores. But that was not an arbitrary deduction from the home estimate, nor is it treating a repayment as revenue. In the next year he stated as home charge the precise sum which we had sent out. I will now state what these repayments and advances are. Payments were made for troops going to China, or on account of the troops there; advances are made on account of the emigration of Coolies, upon account of pensions paid in India to out-pensioners of Chelsea Hospital, and on account of charges for the late China expedition; and bills of exchange have been cashed in India on account of the Imperial Government. Those are all advances made to the Imperial Government. It was settled that all the charges for the late China expedition should be borne by the Imperial Government, and therefore all expenses incurred in India for that expedition were treated as advances to the Imperial Government, and never appeared in any account of Indian expenditure. We authorized the paymasters of the forces in China to draw upon the Calcutta Treasury to a certain stipulated amount, which was to be repaid here. That was done, but they were simply advances made out of the Indian Treasury in Calcutta, and repaid by the Imperial Treasury in London. I have in my hand half a dozen navy bills drawn, some by the storekeeper at Trincomalee, and some by the paymasters of ships, for cash upon the Treasury in Calcutta, and then made payable to the Secretary of State for India. They are cashed in India, and sent to us. We send them to the Accountant General of the Navy, and they are paid into our Home Treasury. It seems to be the simplest matter possible, and I cannot understand how anybody, even the most ignorant of financial matters, could call those repayments items of revenue. In illustration of my views I will mention a case which may be familiar to all. Most of us have a London banker and a country banker. Last year I had a visit from a friend at my house in Yorkshire. When he was coming to London, he told me he was short of money, and asked me to give him my check upon my Doncaster bankers for £20, which he would repay in London. That was about Christmas. He received the £20 in Doncaster, and early in the following year he repaid the sum to my bankers in London. Would any one say that I ought to treat that £20 received for me by my London bankers as part of my income for the year? I really am ashamed, as an ex-Chancellor of the Exchequer, to have to discuss such a point. It is still more strange that there should have been such a proposition put forward, because I hold in my hand a Report of the Finance Committee which sat in Calcutta, whilst Mr. Laing was there, and which was sent to us in a despatch signed by him. It is a Report in reference to the statement of expenditure sent from this country to India, and it says—

> "The financial transactions with the home authorities connected with railways in India, payments on account of the civil service in India, and remittance transactions with Her Majesty's Government, not being charges against India, but merely remittances or advances, are omitted from the statement. They are all duly adjusted in the accounts prepared in this country, the sums received and paid in England being met by equivalent debits or credits in the general accounts."

That is a perfectly accurate statement of the mode of dealing with such transactions, and I confess that it does pass my comprehension how, with such full knowledge of what was the right mode of dealing with them, it can be alleged for a moment, as it is urged with great perseverance in the memorandum, that repayment of advances can or ought to be treated as revenue. Then the argument goes on in the oddest way to say—

> "I cannot understand what is meant by stating that these China advances formed no part of the annual charges for the year in which they were made. They were actually paid, I imagine, in hard rupees out of the cash balances of the Indian Treasury."

No doubt, they were paid in hard rupees; but all the disbursements, whether for annual expenditure or for advances, were made in hard rupees. I will venture to say that the navy paymaster's bills were paid in hard rupees, but no one can say that this constitutes them an item of charge against the revenue of India. The memorandum then goes on in a way that is not a little remarkable. Mr. Laing refers to a document which appears in these despatches or Statement (A) as conclusive proof of his view—

> "The Statement (A) of home charges in 1862-3 is essentially a revenue statement sent for the purpose of enabling me to make a budget for the year, and not a cash balance statement, showing other receipts and payments that are not revenue, which, in fact, was not sent until a subsequent mail, and did not reach India until after the budget had been necessarily produced in anticipation of the new financial year."

I must attribute that statement to forgetfulness, although it is remarkable that Mr. Laing should have forgotten that the Statement (A) was never sent from this country, but was made up in India. There was only one statement sent from this country, and that appears in the printed papers in the hands of Members. It is quite true that Statement (A) is purely a revenue statement; but it was made in India, and contains the mistakes which I have commented upon. The statement sent from England, which appears at page 48 of the papers, is not a mere revenue statement, but is exactly that which Mr. Laing describes it not to be—a statement comprehending revenue and other receipts and disbursements. It speaks for itself, and the despatch enclosing it is upon the table, it is the document from which Statement (A) was made up by omitting a good deal of what we sent out. As I did not send out that Statement (A), and as what I did send out is the direct reverse of what it is alleged to have been, the argument derived from that paper is altogether without the slightest foundation. Mr. Laing goes on to say that I did not admit in the statement of revenue in the accounts for 1861-2 the receipts from the students at Addiscombe College. I must say, that in this memorandum and in the correspondence, there does appear a lamentable confusion of ideas as to estimates and accounts. There are no accounts for 1861-2; but if I refer to the last account upon the table for 1860-61, at page 48, I find that those receipts are deducted from the military expenditure—"Military College at Addiscombe, £16,000." Therefore the statement in the memorandum is quite erroneous; for it is the practice to show in the accounts the receipts from the students. The memorandum goes on to say—

> "One of the gravest charges against me is, that I did not, in the budget of 1861-2, provide by taxes for an estimate of £215,000, made at home, to be spent upon the new India Office."

I should be glad to know who made that charge. I have never made it, and I defy any one to find it in the despatches. I agree in the principle laid down in the memorandum, that extraordinary receipts are revenue, and extraordinary charges are expenditure; but, I repeat, without fear of contradiction, that advances are not items to be charged upon expenditure, and that repayments are not to be treated as revenue. I hope that I have now satisfied the Committee upon both points—the loss by exchange and the item of repayments, upon which the question turns of a surplus or a deficit; and that the Council of India and I—for we are all agreed—are right in maintaining that which every preceding Government has maintained. Having then, as I trust, established the correctness of our view of what the two sides of the account ought to contain, I now proceed to state to the House the condition of the Indian finances for the last three years. I am afraid I have already wearied the House by my long explanation; but it was of paramount importance to establish a true basis on which to frame our Indian accounts, so that everybody may know that we deal with them in India just as we should in this country, and that they are perfectly correct and straightforward. The accounts for 1860-1 show a very satisfactory state of improvement. The estimate showed a deficit of £6,500,000; the real deficit was £4,000,000. The increase of revenue over estimate was £3,400,000, and the increase of expenditure over estimate was about £800,000. The income of the year 1860–1 was £42,903,000; the estimated income for 1861-2, without the licence tax, was £42,911,000, and for 1862-3, after the remissions, £42,971,000. The charge for 1860-1 was £46,924,000; the estimated charge for 1861-2 was £43,506,000, and for 1862-3 £43,255,000. These are the corrected figures, and represent what I believe to be the real state of the charges and income in these years. The result of these corrected figures gives, for 1860-1 a deficit of £4,021,000; for 1861-62, £595,000; for 1862-3, of £284,000. Looking to the progress of the revenue, and to the reductions which have been going on, I entertain a hopeful belief that by the end of the year we may find that deficit even less; but that is the calculation at which we arrive at present from the corrected figures. I think it would be satisfactory to the House if I next compare the present state of Indian finance, as we may say that we have now got to something like a permanent state, with the condition of the finances in the year before the mutiny, and we shall then see the progress we have made. In 1856-7—the year ending April 30, 1857—excluding railways, we may say that our income and expenditure were about equal. I hope that will be the case at the end of this year, at any rate in the next. In 1856-7 the income was £33,375,000, and the charge, excluding the railways, £33,300,000, showing a surplus of £75,000. The income has risen since that period, according to the estimates of 1862-3, after remissions, to £43,000,000 in round numbers—an increase of about £9,600,000. Of this, the income tax has produced £1,500,000, and the other taxes which have been increased have produced about £4,000,000—that is to say, £5,500,000 is due either to increased taxes or new taxes. The remainder is due partly to opium, partly to land tax and other taxes, making altogether £9,600,000. The charge in 1856-7 was £33,300,000, and in 1862-63 it will be in round numbers about £41,300,000, showing an increase of £8,000,000. The interest on the debt has increased £2,436,000; the military charges, £1,674,000; and the judicial and police charges, £1,338,000. But for the expenditure on railroads there would be a surplus of about £1,670,000. When we remember that the railroad expenditure will be reproductive, and will contribute to the development of the resources of India, we shall not, I think, look upon this as an unsatisfactory state of things. The charge for railroads, of course, makes a considerable difference. The annual charge of 1856-7, guaranteed interest and loss on exchange, was £673,000; in 1862-3 it was £2,688,000. From this we must, of course, deduct traffic receipts, which, in 1856-7, were £121,000, and in 1862-3, £730,000. The net charge therefore in respect of railroads, in 1856-7, was £551,000, and in 1862-3, £1,958,000. The interest on the debt in 1856-7 was £2,420,000, and in 1862-3 exactly double, or £4,857,000.

I now come to what is a most important item—the military charges—which, of course, increased very heavily during the mutiny. In 1856-7 they were £12,781,000; in 1858-9 they were more than double that amount, or £25,449,000. Since that year they have gradually decreased, naturally enough, from a cessation of war charges. They have now got as low as £14,456,000, and I must frankly say that I do not think we shall get them much lower. Some time ago, when we were calculating our future expenditure, we thought if we could get these charges down to £15,000,000, we should do very well; and I think now, if we manage to get them down to £14,000,000, it will be as much as we can do. Here, however, I must again refer for a moment to a passage in Mr. Laing's memorandum, in which he refers to a fear that the Home Government would send out too many recruits to India. I refer to that, because it is a repetition of a charge which has been made in India in the public press there; and which has been sanctioned by a letter of Mr. Laing's, and by a speech which he made. The charge was, that in order to relieve the finances of my right hon. Friend here we had unduly charged the finances of India. That is not the case. The Home Government preceded the Government of India in suggestions for the reduction of expenditure, and there are despatches on the table which show that such was the case. The Government of India, in 1860, asked for forty-five regiments of infantry for the Bengal presidency. After consulting Lord Clyde and other military authorities, we thought thirty-eight sufficient. They asked for thirteen regiments of cavalry; we reduced the number to eight. Of course we did this with great hesitation, because, after all, the Government of India is responsible for the safety and security of India, and it was only after consulting eminent military authorities that we took that responsibility on ourselves. They have since changed their minds, and proposed to send home more regiments. We have acceded to every request they have made, interposing, however, in two cases some delay. They sent home artillery when the number of European artillery were 2,000 below the number which they had reported to be necessary; and they proposed to send home a regiment from Madras, when we thought they had mistaken the opinion of the Madras Government. We desired them to send home batteries of the old artillery only as the new batteries were formed; but we ultimately allowed them to send the old batteries home, if they were confident that no risk was run by leaving the artillery in India for a time below the proper number. As regards the regiment for Madras, they had mistaken the views of the Madras Government; but, nevertheless, they sent a regiment home from Bengal, and we have since agreed to take one more regiment from Madras next year. Then comes the sending out of the troops, and this is a point of great importance, because it has been stated that we sent out too many recruits last year, and that the number of men in India would be 9,000 above what was fixed. That representation was written from India last October. Well, what are the facts? In June the Indian Government had stated that what they wanted for India was 73,000 men. We have since brought the number down to 71,000; but when we sent out the recruits, we did not know that the requirements of the Government of India had come down so low as 73,000. I think I explained once before, that in order to keep up an average number of men in India throughout the year, they must be above the required number when the recruits arrive, because as the recruits arrive only once a year, in the beginning of winter, the men would otherwise in the course of the year fall below the average, owing to deaths, sickness, and invaliding. The casualties, including time-expired men, are reckoned at 10 per cent per annum. In order to keep up 70,000 effective men or thereabouts, we ought, therefore, to have sent out 3,500, but the number we actually did send was 2,800. I take the following statement from a paper sent home by Mr. Laing. On the 1st of September the effective force in India was 74,255; on the 1st of December, when all the recruits but 100 had arrived, it was 74,419; so that the sending out of 2,700 men added only about 200 to the strength of the army. Last autumn happened to be a very fatal time to the European army in India, owing to the prevalence of very severe cholera. I must beg hon. Members to bear in mind, that to hold India safely you must hold it with an adequate European force. An inadequate force is likely to lead to disorder and bloodshed. Therefore, to send out an inadequate number of recruits is not only the worst policy, but it is also the worst economy. My hon. and gallant Friend behind me (Colonel Sykes) is constantly quoting the small expense of the army before the mutiny. In order to show how this was attained, I beg to refer him to a paragraph in one of the despatches on the table, dated May 2, 1861—

> "The cost of the army is £11,500,000 a year in India, and in England £1,250,000; and this was below the proper cost, as it was only attained by allowing the 'effective' European force to remain dangerously below its established strength."

I am not prepared to revert to so dangerous a course. I will now state the deficits (including expenditure on railways) of each year from 1856-7 to the present time. In 1856-7 the deficit was £474,000; in 1857-8 it was £8,390,000; in 1858-9 it was £14,187,000; in 1859-60 it was £10,769,000; in 1860-1 it was £4,021,000; in 1861-2, I estimate it at £595,000; and in 1862-3 at £284,000. These figures show that we are coming to a healthy state; and I hope and trust, that if the revenue thrives as it has done, we may at the end of the year be better off even than I now anticipate. The system of open loan has been put an end to, and I trust we shall close that dangerous system of having only to put one's hand into the treasury for money without caring how it came there. I hope by a sound system of finance we shall soon have a permanent surplus, instead of a deficit year by year. With respect to a topic of the greatest possible importance—namely, the public works, and the prospect of the cotton cultivation in India—I stated very fully two or three weeks ago what has been done. I will now merely say the Madras and Sind lines of railroad are now open; the East Indian line will be open at the close of this year or the beginning of next year; and the Great Indian Peninsular, with its cotton branches and its very difficult works through the Ghauts, is making most satisfactory progress. The late Governor of Bombay, Sir George Clerk, who lately returned to England, gives the most promising account of the progress of the works. I mentioned before that the works on the Godavery were delayed principally in consequence of fever and the want of labour. Roads are being constructed for the purpose of bringing down cotton and acting as feeders to the railways, and they too have made satisfactory progress. I asked Sir George Clerk about the supply of cotton that was to be expected from India; and he says, so far as Bombay is concerned, the growth was considerably increased this year. The export from Bombay last year was about double that of the year before. Of course, whether the additional growth will make up for the exhaustion of the stocks on hand, which must have been the result of the large quantity which came last year, is what nobody can tell; but Sir George says he believes the price which is now paid will divert a large portion of the cotton from the native spinners to this country. And now a word as to Government interference. After the fullest consideration, and taking the opinions of the most experienced and competent men, I have come to the conclusion that Government interference ought not to be given. I have always felt in the strongest way, and I do not, even in this case, see any reason for departing from that opinion, that in all matters of trade Government interference is pretty sure to be prejudicial. I believe in the present case what is wanted is the reasonable expectation on the part of the grower of a fair and permanent remuneration for his labour. That is the result of my inquiries, and I believe there is no difference in this respect between India and other parts of the world. That which takes place elsewhere, and in regard to other produce, will take place in India; in regard to cotton an adequate demand will produce an adequate supply. India produces a great number of other things—sugar, indigo, silk, jute; but an adequate inducement has been given to the ryots for producing them, and cotton also will be produced when a similar inducement is given. I saw the other day Mr. Saunders, who has been employed by Lord Canning to report on the growth of cotton in the North of India, and he said that the universal answer which he received to his inquiries was—"We require nothing from the Government; we only want buyers, and we will supply as much cotton as they require." I have been asked to send persons to obtain information as to the production of cotton. A commissioner was appointed in each Presidency for the purpose of obtaining the fullest possible information. The Cotton Supply Association sent their Secretary, Mr. Haywood, to India, who went into the western districts in company with a Government officer, in order that he might have every facility afforded to him. The Reports of the Commissioners are printed. Mr. Haywood is on his way home. I believe that as much information exists on the subject as is needed, and what we want is not inquiry, but action. The mode of procuring cotton is well known. Transactions are carried on by means of advances made at Bombay, for instance, to agents in the country, and by them again to a series of native agents, each of whom makes a profit; but without some such system as this, I believe you could not reach the requisite number of ryots, who are only to be got at, not by the means of large capitalists, but by a great number of small dealers. Each ryot produces only a small quantity of cotton. If gentlemen in this country are desirous of sending agents to India for the purpose of getting into a more direct communication with the producers, that would be a legitimate mode of proceeding, and to any extent that the Government could fairly aid them in that purpose aid shall be afforded to them. I have been asked to send commissioners and interpreters with them, to facilitate communication with the ryots. My belief is that more can be done by the influence of the local officers, with whom the ryots are acquainted, than by sending persons round with the agents; but still the latter course shall be adopted, if desired. What I wish to be understood is, that the Government is not disposed to turn cotton merchant, but that any aid that can be reasonably given by the Government shall be readily given to those merchants or manufacturers who are disposed to put any agency of their own in motion for procuring a larger quantity or a better quality of cotton. There are other matters to which I now wish to refer. It is not in finance alone that great progress has been made in India. Great reforms and improvements in the administration of India have been made, and I believe that I am warranted in saying, that seldom, if ever, has so much been done in the same period in any country in the world. Last year an Act of Parliament was passed for the improvement of the administration of India. The whole Government of India was recast, powers of legislation were restored to the presidencies of Madras and Bombay, which they have not exercised since 1833. A Council has been created in Bengal, to which also legislative powers have been given. All these Councils may deal with most matters within their respective jurisdictions, but there are certain more important questions which are reserved for the Council of the Governor General. To his Council as well as to those in the different Presidencies, Europeans not in office, and native gentlemen, have been admitted. Three distinguished natives took their seats in the Governor General's Council. Five out of the six additional members at Bombay were natives. I am happy to say, that as far as we can judge of the experiment, it has succeeded. Natives of high rank, at much sacrifice to themselves, and casting away prejudices, have taken their place by the side of the Governor General in the Council; and having read reports of their speeches, I must say that they take a statesmanlike, sensible view of the different questions brought under discussion. I was rather amused by the remark made with respect to them by an English member of Council, to the effect that "we must look after ourselves in order not to be surpassed by the natives." I have heard from an Englishman, than whom no one is better acquainted with India, that in Bengal it is impossible to describe the effect produced on the native mind by the presence in the Council there of three native gentlemen of rank. High Courts of Judicature have also been constituted in the three Presidencies, and I have not been able to place any native in these courts, only because no native is at present technically qualified for office in them; but I believe that natives will, when technically qualified, occupy places as satisfactorily in those courts as in the Councils. I will only shortly refer to the Civil Service, as I have already answered a question on this subject from the right hon. Gentleman opposite this evening. I do not anticipate that there will be room for the admission of any great number of persons in consequence of the recent Act; but the Lieutenant Governor of Bengal complains that, even with the extended field of selection, he cannot find fit persons enough for the administration of the provinces. I am sorry to say that the arrangements as regards the army are not yet completed; and I am aware of the not unnatural dissatisfaction which this circumstance has occasioned. The delay has been mainly occasioned by anxiety to give every consideration to the claims of officers in India. The old Indian regiments of artillery and engineers have already been gazetted as portions of the royal army. With respect to the regiments of infantry and cavalry which were to be formed as an addition to the Queen's army, the officers have not yet been posted. I cannot account for the delay; but we must wait until we receive from the Government and the Commander-in-Chief in India the list of officers selected. I hope, from what I hear, that the cause of delay has been removed, and that before long the additional regiments of the line will be gazetted. The native army has been considerably reduced. The reduction was necessary on political as well as financial considerations. A large native army is a source of danger, and I believe that a much smaller one will be equally effective. It is impossible, however, to deny that the reduction has involved some hardships on the officers and men. I can only say that the greatest consideration has been shown to them. The men have been discharged with gratuities or pensions according to their period of service. Additional retirements have been provided for the officers; many of them have joined the Staff Corps; and though we cannot at present say positively, I am inclined to believe that there are few, if any, for whom there is not present employment; and for all of them their full pay, and promotion to the higher ranks are continued as if their regiments were still in existence. I have been asked once or twice about the Indian navy, but I have not yet had an opportunity of consulting Sir George Clerk, who has recently returned to this country, on the subject. The Government are, however, most anxious to consider fairly and liberally the claims of the officers of the navy, whatever may be ultimately decided on. So far as regards the changes which have been made from this country; but in matters more exclusively Indian the progress has been no less. With regard to the treatment of the native princes, a most important change has been made, for which Lord Canning deserves the highest praise. Formerly the native princes were subject to great anxiety, believing it to be the fixed intention of the British Government to get rid of them, and take possession of their territories. Considerable alarm was thereby caused among them; but Lord Canning reversed that policy, and avowed that it was not the intention of the Government to annex their territories. He consequently set the minds of the native princes at ease, and nothing can be more satisfactory than the result of that policy. I have the testimony of Sir George Clerk, than whom no one knows India better, to the effect that this policy of Lord Canning has been the source of the greatest strength to us in India, and that we might now reckon on the support of ten or twelve in lieu of three or four chiefs who were with us before. The next change which Lord Canning introduced has reference to the creation of an intermediate class between the peasantry and the great chiefs. The general effect of our rule has been to destroy such a body of persons, and the peasantry have enjoyed the greatest advantages under our rule; if it were otherwise, they would have taken part against us. It is, however, quite clear, that whatever advantages we may have conferred on the peasantry, it was not a natural state of things that there should be no independent intermediate class connected with land. Lord Canning endeavoured to provide a remedy for that state of things, and the experiment which he made in our new territory of Oude has, I am happy to say, so far been most satisfactory. There is a remark made by Lord Canning in connection with this subject which, perhaps, I may be allowed to quote. In addressing the talookdars of Oude, he said—

> "While you, who are now the independent magistracy of your province, have already become, although you are the newest of the Queen's subjects, the foremost of them in the practice of self-government, and in enforcing by your example and authority an intelligent reverence for law and order."

It is, indeed, remarkable that the persons intrusted with so much power, have displayed not only great skill, but also the utmost impartiality. They, moreover, have shown their loyalty in various ways. They offered Lord Canning to put down the practice of infanticide; and feeling the great sorrow which oppressed their Sovereign and our own, they determined to forego all demonstrations of joy on one of their great festivals, which is usually celebrated with great rejoicing. Measures, with the objects that I have stated, were passed by Lord Canning. But there was another which he had not time to carry into operation, but about which he was equally anxious. He felt that it was most advisable to take some steps to benefit the general owners of land. Lord Stanley, some time ago, wrote a despatch, calling the attention of the Indian Government to the sale of waste lands, and the redemption of land revenue. That subject Lord Canning proceeded to take into consideration, and certain Resolutions of the Government of India on these subjects have been published. About the same time Lord Canning sent Colonel Baird Smith to the North Western Provinces, to make inquiries with respect to the best mode of preventing a recurrence of the famine which unfortunately prevailed in that quarter. Colonel Smith, in the performance of that duty, became very much struck with the improved condition of the people since the last famine, which was, in his opinion, to be attributed to the longer leases which had been granted, and the more provident habits which had been produced by the circumstance of a more permanent tenure of land being enjoyed by the occupiers. The consequence was a recommendation by him of a permanent settlement of the land. Lord Canning was much struck with the proposal, and sought for further information on the subject; but he had not time, I regret to say, to mature any measure dealing with it. In conjunction, however, with my Council, I have had it under consideration for some time, and Her Majesty's Government have determined to carry out a measure for the permanent settlement of the land revenue throughout India, as soon as the various districts are pronounced to be in a condition fit for it. Hon. Members must not, however, suppose that we propose, as was done by Lord Cornwallis in Bengal, to sacrifice, to a great extent, the rights of the actual owners of land. The settlements made throughout India for the purposes of the revenue, the holdings of the several occupiers being duly registered, will furnish us with the information necessary to enable us to avoid the evils of his proceeding. What we propose is, that a settlement should be made with each of the present occupiers, and that each should be secured in the possession of the land which he now holds, paying a fixed rent for it for ever. Great political advantage will, I think, be the result of the adoption of such a measure, inasmuch as it will tend to make the people of India attached to our rule, from which alone they can hope for the permanency of such an arrangement—and I need not point out the security afforded by permanent tenure for improvement in the condition of the country, such, I hope, as we have not yet witnessed. I may, perhaps, be allowed, while dealing with this part of the subject, to quote part of a report from Mr. Paterson Saunders on the state of Oude, in which he gives the answer of a most intelligent native on that subject, and the views which he expresses, and which completely corroborate those on which we propose to act—

> . . . . "Nearly six months have elapsed since the publication of his Excellency the Viceroy and Governor General in Council's Resolution, and to this date not a single landholder in Oude or the North West Provinces has applied for the redemption of the tax upon his land. What the native landholders do want is a fixity of the public demand, that when the settlements now being made are completed, they should be fixed in permanence. I will here give the evidence of a most intelligent native in Oude, and from the unanimity of evidence I have gathered, I select him as the representative of the whole.
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> "What, then, do you think is the real want of the country?—A permanent settlement on the half asset principle, and no other tax upon land. If I got a permanent settlement of my Jaghire, I would retire from the service of the Government, after having served for twenty-six years, without pension, give up my 600 rupees a month, and go and improve my estate.'
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> "The want, then, of the landholders is a permanent settlement; and on this subject I will not waste further argument, for even his Honour the Lieutenant Governor of the North West Provinces has surrendered the whole question, when, in the 23rd paragraph of his Minute, dated Camp, Ghatumpore, 27th January, 1862, on my first report, he says that his comments upon it are not made 'with any intention of disputing the expediency of converting the settlements of these Provinces (subject to certain conditions) into a permanent settlement—for it is to that issue that the extension from time to time of the period of settlement has been gradually advancing. . .
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> . . . . "If the Supreme Government of India proclaims the principle of permanency of settlement, and directs that all districts where the areas of measurement have been completed, and they are considered to be in a fit state for such permanent settlement, be at once settled, it may well be left to Governors of Provinces and Chief Commissioners to exempt such districts as are manifestly unprepared for such settlement."

These last words express most correctly the order we have given. Of course, our plan will come gradually into operation, which will, I think, be all the better, as various modes of improving our proceeding may be developed in the progress of the measures which may be adopted in subsequent settlements. By these measures, for the benefit of the princes, the chiefs, and the people of India, I sincerely trust that we shall have done much to deserve and ensure their attachment to our rule. We have learnt a stern lesson from the recent mutiny in India. It will be necessary to keep up there a considerable military force; but our greatest strength will, I believe, lie in the attachment of the Indian people. I believe, in the words which Lord Canning addressed some time ago to the talookdars of Oude, that, "in spite of bygone animosities, and of the broadest differences of race, religion, and social usages, a generous and trustful rule is the surest way to make a loyal and dutiful people." I cannot conclude, having mentioned the name of Lord Canning, without giving expression to the feeling which we all entertain of deep regret at the loss which the country has sustained in the death of that distinguished statesman. Never was a man more severely tried. He had every prospect of a peaceful rule when he went to India. The outbreak of the mutiny rudely dispelled his pleasant anticipations; but, through the severest storm which India has ever encountered, he with a calm and firm hand held the helm. He was not induced to take any rash step by fear or alarm; but, at the same time, he omitted nothing that was necessary for the maintenance of our power. All his actions were tempered with mercy, and he succeeded in suppressing the rebellion and in acquiring the affections of the people. Nor, when that success was achieved, was his policy less worthy of applause. He brought the finances of India into their present state by reductions carried out with a firm and unsparing hand. He conciliated the affections of all the princes, chiefs, and great landowners in India. His name has been a tower of strength, and his policy will be a tower of strength, continued, as I have no doubt it will be, by the noble Lord who has succeeded him, supported by the Government at home. One of the most remarkable events which have recently taken place in India was an address presented to Lord Canning not long ago by the inhabitants of Benares. Everybody knows that Benares is one of the most bigoted cities in India. Never since the days of Warren Hastings have the inhabitants of Benares approached a Governor General. Lord Canning passed through Benares shortly before he left India, and the inhabitants presented to him an address in which they expressed their estimation of the course he had pursued during the mutiny. It was the best testimony which he could have received of the success of his measures. The inhabitants of Benares said to him—

> "Your Excellency remembered in the time of victory and in the plenitude of restored power, that you were the representative of a Christian Government, and extended a merciful and unhoped-for clemency to those who might have looked-for extermination, while, at the same time, you fully vindicated the majesty of outraged law and upheld the honour and dignity of the Government confided to your care."

A more honourable testimony, or one more clearly expressed, could not have been given to his merits, and it was offered by a society as little likely to regard favourably a Christian rule as any to be found within the borders of our Indian empire. A difference of opinion may exist as to some of the measures which have been adopted in India, but it has been a source of the greatest satisfaction to me that every one of them, when mentioned in this House, has met with general approbation. We certainly have not been idle. The government of the country, the course of law, the civil and military services have all been placed on a satisfactory footing, while the condition of the princes, the chiefs, the great landowners, and the peasantry of India has been improved. We know by past experience that danger may lurk beneath the most tranquil appearances; but a new era seems to have dawned upon India, and an amount of improvement is going on of which there has been no example in former times. It is our duty to guard against the recurrence of danger; but, as far as we can see at present, no such danger is apparent, and we have every reason to believe as well as hope that peace will be preserved, and that under the blessing of Divine Providence the connection between this country and India will be strengthened, and that the improvement of India will not only tend to the increased happiness of her people, but will be a source of wealth and benefit to the people of these Islands.

The right hon. Baronet concluded by moving the following Resolutions:—

1. That the total net Revenues of the Territories and Departments under the immediate control of the Government of India for the year ended the 30th day of April 1861 amounted to £3,758,421 sterling, and the Charges thereof, for the same period, other than Military Charges, amounted to £3,412,724 sterling.

2. That the total net Revenues of the Bengal Presidency for the year ended the 30th day of April 1861 amounted to £12,009,752 sterling, and the Charges thereof, for the same period, other than Military Charges, amounted to £2,441,829 sterling.

3. That the total net Revenues of the North Western Provinces for the year ended the 30th day of April 1861 amounted to £5,056,801 sterling, and the Charges thereof, for the same period, other than Military Charges, amounted to £2,540,310 sterling.

4. That the total net Revenues for the Punjaub for the year ended the 30th day of April 1861 amounted to £2,943,385 sterling, and the Charges

thereof, for the same period, other than Military Charges, amounted to £1,330,682 sterling.

5. That the net Revenues of the Territories and Departments under the immediate control of the Government of India, of the Bengal Presidency, of the North Western Provinces, and of the Punjaub together, for the year ended the 30th day of April 1861, amounted to £23,768,359 sterling, and the Charges thereupon, including the Military Charges, amounted to £18,427,377 sterling, leaving a surplus available for the general Charges of India of £5,340,982 sterling.

6. That the total net Revenues of the Madras Presidency (Fort St. George) for the year ended the 30th day of April 1861 amounted to £5,271,915 sterling, and the net Charges thereof, for the same period, amounted to £5,685,818 sterling, showing an excess of Charges over Revenue in the above Presidency of £413,903 sterling.

7. That the total net Revenues of the Bombay Presidency for the year ended the 30th day of April 1861 amounted to £6,435,411 sterling, and the net Charges thereof, for the same period, amounted to £5,635,391 sterling, leaving a surplus available in the above Presidency for the general Charges of India of £800,020 sterling.

8. That the total net Revenues of the several Presidencies for the year ended the 30th day of April 1861 amounted to £35,475,685 sterling, and the Charges thereof amounted to £29,748,586 sterling, leaving a surplus Revenue of £5,727,099 sterling.

9. That the interest on the Registered Debt of India paid in the year ended the 30th day of April 1861 amounted to £3,232,104 sterling, and the Charges defrayed in England on account of the Indian Territory, in the same period, including guaranteed interest on the capital of Railway and other Companies, after deducting net traffic receipts of Railways amounted to £6,516,380 sterling, leaving a deficiency of Indian Income for the year ended as aforesaid to defray the above Interest and Charges of £4,021,385 sterling.

MR. HENRY SEYMOUR said, he cordially concurred in the eulogium which the right hon. Baronet had passed upon the late Earl Canning. He could not avoid remarking upon the singular and melancholy duty which appeared to fall upon this country, that we should yearly mourn the loss of some great statesman and benefactor of India. Mr. Wilson had died before the benefit of his valuable services had been felt. Mr. Ritchie had died—now Earl Canning was dead; and Mr. Laing had been compelled to return from India by an attack of illness which had nearly proved fatal, and from which he was still suffering. Fortunately he still survived; and, whatever might have been his shortcomings, there remained enough of good done by him during his short residence in India to entitle him to the gratitude of his country. Seven years ago the finances of India were stated by Lord Dalhousie to be in a deplorable condition, and he asked that a financier acquainted with the system of keeping the public accounts in India should be sent out. He was told in reply that there were plenty of able financiers and accountants in India, and it was five years before a gentleman well versed in the subject was sent. This was very unfortunate, for the consequence was, that the delay had produced great confusion, and had delayed all attempts at improvement. Mr. Wilson had fallen a victim to his exertions, but before he died he laid the foundation of all the improvements which had since been made. At last this department was getting into something like order, although it was far from being complete. The first fault found with Mr. Laing by the right hon. Gentleman had regard to deficits being added instead of substracted in the year 1861; but it should be remembered that Mr. Laing only arrived in India on the 1st of January of that year; and considering the amount of business he had to transact, some excuse ought to be made for him in having committed that mistake, which led to no result, one error having balanced another. Both Mr. Laing and Mr. Wilson joined in the opinion that there should not be so many estimates. They had an anticipation estimate, a sketch estimate, and a regular estimate; then they came to the accounts of the year, and when they discussed them they were fifteen months behind. There should be only one estimate and one statement of accounts. With reference to the loss by the exchange, the Government of India had sent a memorandum by Mr. Laing in December last. The right hon. Gentleman answered it on the 15th of February; but although he went into all the other items in that memorandum, he never alluded to the loss by exchange; it was not, therefore, unnatural that Mr. Laing should suppose that the right hon. Gentleman was satisfied with the explanation that had been offered. This was not a matter between the right hon. Gentleman and Mr. Laing, but between the right hon. Gentleman and the whole Government of India, who were all of the same opinion with Mr. Laing. Mr. Laing was not, then, open to any severe animadversion with respect to this point either in 1861-2 or in 1862-3, for he had not received any remonstrance on the subject till his financial statement was made in June last. Whether the China advances were right or wrong, he thought the answer of the Indian Government on that head perfectly satisfactory. With respect to the cash balances, he admitted to the right hon. Gentleman that they were not all profit; but when the Indian Government stated that cash balances to the amount of £8,000,000 were sufficient to carry on the Indian Government, and they had cash balances to the amount of £18,000,000, surely the additional £10,000,000 might be considered as available surplus. When Lord Dalhousie had a balance of only £14,000,000, he was authorized by the India Board to apply a certain portion of it to public works in India. Then, how had the Indian Government dealt with the surplus they calculated they possessed? The protective duties had been taken off. The removal of the 5 per cent from piece goods was a very judicious measure; and it was better to trust to the £500,000 being met from the surplus of the cash balances rather than to raise that sum by obnoxious taxes. The remission of £250,000 of the income tax had entirely relieved two-thirds of the persons who were liable to this odious impost. That was a most salutary change. He was gratified to hear the right hon. Gentleman's opinion about the income tax. Almost the first words which the late lamented Lord Canning spoke to Mr. Laing on his arrival was, that he would rather govern India with 40,000 British troops without an income tax than govern it with 100,000 British troops with such a tax. It was therefore satisfactory to find that the right hon. Gentleman had reduced that obnoxious impost. He regretted that the Home Government should have placed the restriction they had done on the expenditure upon education, and also upon roads in India. The chief Superintendent of Works in India had forcibly pointed out the disadvantages of voting mere driblets for the roads. It was almost incredible, after all the experience of the mutiny, that the roads between Calcutta and the North West Provinces should be still so much neglected. Even within a few miles of Calcutta there was a want of bridges and the most ordinary accommodation for traffic. Considering the wonderful fertility of the Delta of Bengal and its enormous population, there was no wonder that the Chief Superintendent of Works should have urged the Government to make a much larger expenditure upon improved means of communication than the niggardly sum which the home Government sanctioned. He hoped the Secretary of State would reconsider the prohibition he had placed upon the Government of India, and allow them to carry out their budget. If ever there was a Government which deserved to have a large latitude in this respect, it was the present Government of India, which had reduced the annual expenditure by many millions. Some effort ought to be made to diminish the Indian home expenditure. The manner in which large sums were laid out in building palaces—for such they were—for the Indian Department in England created a feeling of jealousy in India, where severe retrenchment was insisted upon even in regard to the most urgent public works. While the Indian Council at home was but an experiment, they ought not to spend £100,000 or £200,000 in providing a new palace for it, where everybody would be made so exceedingly comfortable, that when once they had got into it, they would not at all like to be turned out again. There were very great complaints as to the mode in which business was transacted in the new India Office—more, indeed, than under the old Court of Directors, and it was not yet certain that the Department would be permanent. He could not see why the India Board should cost the vast sum that was set down for it in the Estimates. He trusted the right hon. Gentleman would turn his attention to the subject before next Session. With respect to Mr. Laing and the Indian Government, they had not had a proper opportunity of seeing the receipt side of Indian home account. Information as to the home charges had been furnished to them, but not as to the home receipts. He did not think it was quite fair for the home Government to withhold all statements of the home expenditure, and therefore there was some palliation for the conduct of the Indian Government. He was glad to find that the statement of that evening was more satisfactory than former statements had been, and that there was no mention of a loan, as was the case last year. The only matter to interfere with complete satisfaction was the little difference that had arisen between the Secretary of State and the Government of India, which had been occasioned by the anxiety of the Indian Government, which was responsible for the well-being of that country, to reduce the expenditure to the lowest point. The new Governor General had agreed with his predecessor upon that point, and there was every ground to hope that next year there would be a sufficient surplus to enable the right hon. Gentleman to sanction a greater expenditure. At present, besides the cash balances, there was a reserve of £5,000,000 expended in the year on public works, only £500,000 of which was military expenditure, and the remainder was reproductive expenditure. He had no doubt that those public works would be eventually profitable, and even now they had benefited the community of India, and had increased the revenue of India by the money which they had caused to be circulated among the population. The only point upon which he differed from the right hon. Gentleman was that he appeared to be rather too diffident in encouraging the investment of British capital in India. There were few parts of the world where railways had been carried out without the assistance of the State, and he should be glad to see the right hon. Gentleman the Secretary of State for India give greater encouragement than he had hitherto done to British enterprise in India in connection with Government aid. For example, he thought that irrigation companies should have received greater encouragement, as no works were more likely to produce permanent benefit in India than works of irrigation. He was also of opinion that greater encouragement should be given to the sale of waste land in India. He trusted the right hon. Gentleman would reconsider his determination upon these matters.

Mr. SMOLLETT said, that he agreed in many things that had been said by the right hon. Gentleman the Secretary for India; but having been many years in that country, he was desirous of offering a few remarks upon the management of the finances of India in this country. In the first place, he wished to make two admissions. He admitted that great progress had been made towards effecting an equilibrium between income and expenditure in India. The great reduction in the army, to which that state of things was mainly traceable, was due chiefly to the efforts of a Commission that had been appointed in India to carry out reductions. He also admitted that there had been a great advance in the material prosperity of India and its inhabitants, which had begun in 1850, and had continued until the present time. The price of cereals had more than doubled; and as India yielded a vast amount of raw produce, and as almost every class in the country were more or less dependent upon agriculture, the increase of prices had greatly increased the general prosperity. Hence the great advance in the revenue generally, and in the land revenue particularly, on which one half of the Indian revenue depended. But he must say he thought the management of Indian finance was most faulty, as was proved by the simple fact, that while many of the taxes were temporary, the expenditure for the present year was greater by £10,000,000 than it was five years ago. Indian finance ought to be and might be clear and intelligible, but it was never dealt with in that House in a manner calculated to make the subject popular. When Mr. Wilson went to Calcutta, the income was between £38,000,000 and £39,000,000, while the expenditure was £48,000,000, leaving a deficit of about £10,000,000. That deficit arose from the extravagant expenditure in the army, the Commissariat, the Staff Corps, and the civil servants in the Public Works Department. The Governor General ought to have put an end to that extravagance, and to have produced an equilibrium between expenditure and revenue; which might easily have been achieved without taxing the manufacturers of Lancashire and Yorkshire, and without even the aid of a "great arithmetician" from the Treasury Bench, like Mr. Laing, whose only qualification seemed to be that he knew nothing about Indian affairs. No part of the reductions recently made, he contended, belonged to Mr. Laing—they would all have been carried out if neither Mr. Wilson nor Mr. Laing had gone out to India at all. They had been made entirely in the expenses of the public departments, and nobody could make those reductions except the Governor General, aided by public servants of long Indian experience. Clear as Indian finance really was, every attempt was made to mystify it whenever the subject was discussed in that House. Last year a loan was announced for India, and the right hon. Gentleman, in answer to a question from the hon. Member for London which appeared to have been pre-arranged, made what was called a "prosperity speech," saying that the finances of India were quite buoyant, and that the money was only wanted for the railways. It turned out afterwards that the expenditure exceeded the income by about £4,000,000, which was made up by money wholly raised in this country—for not a shilling of it, he believed, was raised in India. This same system of mystification was followed in the months of July and August, when the right hon. Gentleman came forward to ask to borrow £8,000,000, at the very time when Mr. Laing was telling the people of Calcutta that there would be a balance of from £200,000 to £300,000 surplus revenue. The loan was asked for on the ground that the railway companies in India wanted the money to carry on their works there. He did not believe that to be a true representation of the matter, and he must enter his protest strongly against the public money being mixed up with the money of private adventurers, and it was quite time that that system of juggling should be put an end to. There was no reason why the accounts of the railway companies should not be kept separate from the public accounts; and if in 1861 it was found that the railway companies were unable to carry out their arrangements, the fact ought to have been made known to the House, and the arrangements previously made with the companies should have been cancelled. But instead of taking such a course, the Secretary for India borrowed £4,000,000 for the railway companies in question, and never communicated to the House who the particular company was, the terms of their agreement, or what security they had given for those advances. He protested against the system of mixing up the private affairs of individuals with the money of the Government. That system had been carried on too long, and it was from these collusions and mystifications that all the difficulties had arisen with respect to Indian finance. The Government had been patronizing companies of every kind for India—flotilla companies, irrigation companies, navigation companies, many of which would never have been floated on the London Stock Exchange but for the mischievous system of guarantees. The hon. Gentleman then described the origin and progress of a company which he said was started in 1858, having emanated from the brain of Colonel Cotton; it had received encouragement from the noble Lord the Member for King's Lynn (Lord Stanley), had raised £50,000, in payments of £1 per share, and *The Times* newspaper showed that the shares upon the pound which had been paid were between £2 and £3 premium, all owing to the mischievous patronage of the India Office. The hon. Member also commented on the conduct of Sir Charles Trevelyan in 1859 in attempting to write up the Godavery navigation scheme. Such a system ought to be immediately discontinued. The House ought, for the future, to exercise a proper control over Indian finance. There was scarcely any person in the House capable of properly dealing with the subject. One of the first things that ought to be done was to repeal that portion of the Act of Parliament which prevented the Members of the Indian Council from sitting in the House, so that these men might be able in future to bring their information to bear on Indian subjects. He would also suggest the propriety of passing a Resolution that hereafter no loans whatever should be raised for Indian purposes on the London Stock Exchange either directly or indirectly, through guaranteed companies. He also proposed, that considering we had taken Indian affairs out of the hands of the East India Company and transferred them to the management of a Secretary of State, instead of bringing forward a budget at a late period of the Session, a sketch should be given at the commencement of each Session stating the amount of the Estimates for the year, and that Votes should be taken on the principal items of expenditure. He could not see any reason why the number of European troops should not be voted in that manner. His next proposal was that a stop should be put to any further guarantees to private companies by the Secretary of State for India on his own authority. He made this proposal to save the virtue of Chancellors of the Exchequer from libertines from Manchester and the Stock Exchange. Next Session he should move that no further guarantee or extension of existing guarantees be made by the Secretary of State without a preliminary vote of the House, on the responsibility of the Secretary. Unless these amendments were introduced into the existing system, the sooner the annual farce of an Indian budget was put an end to the better, and the responsibility of governing India thrown on the Secretary of State.

MR. GREGSON said, he did not agree with the hon. Member for Poole (Mr. H. Seymour) that the home expenditure of the Indian Government was exorbitant. As to the hon. Gentleman's charge, that a palace was being built for the India Office, he replied, that it was essential that ample accommodation should be afforded for all the officers of the Department. With regard to telegraphic communication with India, he believed that the sooner it was completed the better, and in respect to the absence of the Members of the Indian Council from that House, he expressed his regret that that arrangement, against which he divided the House at the time, had been come to. He was of opinion that the Indian accounts should be brought down to a later period than April. The charge for exchange was a matter in dispute, but as it had been allowed on former occasions, he did not see why it should be excluded from the Estimates now. As to the repayments of advances, if the money originally formed part of the revenue account, the repayments should go back to revenue, and in like manner they should go back to the cash balances, if the advances were taken, as it appeared that they were, from them. He was gratified the income had so much increased, though the expenditure seemed to have increased in the same proportion. He was very glad that the system of open loans in India had been put an end to; and he trusted that the public works would continue to progress as satisfactorily as they were now stated to be progressing.

Mr. VANSITTART said, it was unnecessary that he should say a single word in defence of the Financial Secretary of the Indian Government (Mr. Lushington) after the manner in which he had been exonerated from all blame by the Secretary for India. He should, therefore, pass at once to the points more immediately involved in the question under discussion. Without presuming to offer any opinion as to the necessity of the right hon. Baronet (Sir C. Wood) addressing Mr. Laing in the very extraordinary language contained in that painful correspondence embodied in a Return dated the 23rd of June last, or whether Mr. Laing was justified in retorting upon the right hon. Gentleman in an equally extraordinary tone, he would merely observe that there was no doubt Mr. Laing had experienced considerable difficulty in unravelling the tangled skein of Indian finance. Feeling this, and learning on his arrival in this country that the right hon. Baronet's despatch of the 9th of June, in which very serious charges were brought against him, had been made public, it could hardly form a matter of surprise that Mr. Laing penned the following rather warm rejoinder:—

"When I look at the marvellous results of that last year, in which all the fruits of Lord Canning's policy seemed to blossom forth at once, I confess that a despatch which, before his remains are cold in the grave, holds him up to the public of England as a weak ruler, led by an ignorant or unscrupulous Chancellor of the Exchequer into financial blunders which have created a deficit, takes me greatly by surprise."

He must confess, however, that on reading Mr. Laing's financial statement, as reported in the *Hurkaru* newspaper by authority, he was not disposed to join in that enthusiastic chorus of applause with which it was received by the excited Indian press, nor to be deceived into the belief that he had succeeded in obtaining a *bonâ fide* surplus of £903,814, as stated by him in his speech of the 16th of April last, and which he had disposed of in such a hurried and summary manner. He was also surprised that Mr. Laing thought it necessary to make that statement before the expiration of the financial year; for it necessarily became a mere sketch estimate, made up of returns, &c., consisting of ten months of reality and two months of conjecture; and, strange to say, the mail which succeeded that which brought it home announced a failure in the opium trade, regarding which Mr. Laing admitted in his speech that unless China was able to spend £8,000,000 on Indian opium this year, the revenue must diminish. If, therefore, Mr. Laing had been less precipitate in making his financial statement, or had paid a little attention to the actual figures of the account giving the real expenditure, we should not probably have heard a single word about a surplus this year. The real fact was, Mr. Laing rushed out to Calcutta during the pleasant months of the year, and in his anxiety to return home, instead of waiting for the returns and disbursement from the different departments, was intent only upon making a prosperity speech, trusting to the Indian press to carry him safely through against any criticism which might be passed upon it by the Home Secretary and his Council, whose duty it was to revise it, and acquaint the public with the real state of the case. Assuming for the moment that Mr. Laing had a *bonâ fide* surplus of £903,814, he was at a loss to reconcile the manner in which he had disposed of it with the spirited reply he gave to a deputation from the Chamber of Commerce and the British Land Association a few months ago—namely—

"He (Mr. Laing) thought the first duty of a Chancellor of the Exchequer was to resist the desire to gain popularity by remitting taxes unless he was assured of a solid surplus."

In the face of this declaration he was surprised to find among the taxes he selected to remit stood the paper duty, which most providentially was not of the same importance to the Indian revenue as it was to the English. He next flung away a large sum of money for the purposes of education, and partially reduced the income tax and the customs duties on manufactured goods. The consequence was, as was generally the case with all half-and-half measures, neither of these two latter interests were satisfied. This especially applied to the income tax; for although Mr. Laing had promised it should cease altogether in three years, yet the Indian community could not so easily forget that our present Chancellor of the Exchequer, during those seven long years he sat on the Opposition benches of that House, vehemently denounced the iniquity of this odious and oppressive war tax, and took his present Colleague, the right hon. Baronet the Member for Radnor (Sir George Lewis), sharply to task for not reducing it; whereas, the moment he had succeeded in displacing him, he not only forgot his promise and professions, but doubled and trebled it, though two millions a year fell in most opportunely at the time by the expiration of certain Long Annuities. Mr. Laing complained with justice of the heavy home charges, which amounted to no less than £9,000,000, or one-fourth of the whole Indian expenditure. He thought the cause might be partly traced to the extravagant manner in which the loans were raised after the mutiny, against which he had repeatedly protested. These loans, which had increased the Indian debt from £50,000,000 to £100,000,000, were offered to the public under an Act of Parliament below par, bearing interest at 5 per cent for ten years, payable at the Bank of England, without any provision having been made to pay them off at the expiration of the ten years, as was the practice with railway and other commercial companies. That being the case, there was no doubt that these loans had the advantage of the security of an Imperial guarantee, which made the arrangement not only needlessly extravagant, but very injurious to the interests of the British fundholder. From a Return dated the 14th of May last, from the India Office, he found that the interest of this stock had increased from £341,975 for 1860-1 to £671,890 for 1861-2. When we reflected upon the conciliatory measures which had been passed during the administration of the much-lamented Earl Canning—namely, the restoration of the Oude talookdars, the recognition of the law of adoption, the redemption of the land tax, the sale of waste lands, the extension of the permanent settlement, and the total abolition of the licence and trade taxes—he must say he thought, if further taxation was necessary, that the time had arrived to call upon the opulent Mahagim, the Calcutta Baboo, and other money extortioners, into whose hands the landed property was so rapidly falling, to contribute something towards the public revenue, in order to be appropriated towards paying off the £50,000,000 of additional debt to which he had just referred. For his own part, he could think of no fairer tax than a succession duty, somewhat similar to what prevailed in England, and better known in India as "Nuzeranna." To this day no tax was more popular and resorted to by the native princes who are independent of our rule than this "Nuzeranna" or "Salamee," for they argued it did not hit them but posterity. By cheerfully submitting to the imposition of this tax, our "Upper Ten Thousand" in India would not only have a graceful opportunity afforded them of showing their sense of gratitude to the British Government for stepping forward so promptly at the most critical period of their country's history to restore order and peace, but of expressing their conviction that few Governments, even under far more favourable circumstances, had attempted so much for their good, and carried so many of their attempts to a successful and beneficial issue.

MR. CRAWFORD said, that the charge of the hon. Member for Dumbartonshire (Mr. Smollett) against the Secretary of State for India that he had been juggling the House, was a mere *ad captandum* argument, quite unworthy of any answer. In reply to the charge that the Secretary for India had been spending the balances belonging to the Indian railway companies, he observed that so long as the greater portion of the money provided for the construction of railways in India proceeded from this country, so long would it be necessary to spend here a certain portion of the receipts. The railway companies were constituted on the basis of a guarantee from the Indian Government. Without such guarantee it would have been impossible to obtain money in this country for the construction of Indian railways. He was in a position to state that the hon. Gentleman's observations regarding the

Indian railways were entirely unfounded. None of the companies had failed in carrying out the arrangements which they had made with the Indian Government. Leaving that subject, he wished to say a few words on the loss by exchange. Some years ago, when the railway companies were first formed, the rate of exchange was fixed at 1*s.* 10*d.* for the rupee. He objected to that at that time, because he did not think it was based upon a sound principle, and because he was apprehensive that it would lead to inconvenience About 98 per cent of the capital required for railways in India was raised in this country, but the expenditure here did not amount to one-half of the whole; the remainder had to be sent to India for disbursement in that country. For every 1*s.* 10*d.*, which the railway companies paid in to the credit of the Secretary of State at the Bank of England, the Government had to disburse one rupee in India. The amount that was annually disbursed in India by the railway companies might be taken as equivalent to £6,000,000, which, at the rate of 1*s.* 10*d.* per rupee, was represented by 65,000,000 rupees. In the accounts at Calcutta, however, the payments were entered at the conventional rate of 2*s.* per rupee, the whole thus amounting to 60,000,000 rupees. He maintained, then, that the sum to be included in the budget should be 65,000,000, and not 60,000,000. The additional 5,000,000 rupees, representing the loss by exchange, should be debited as a sum to be received at some future time —a sort of deferred receipt. He agreed with the Secretary of State that in course of time the deficiency arising from the loss by exchange might be recovered. He had listened with great attention to the statement of his right hon. Friend, and he was bound to observe, that so far as he was able to pronounce an opinion on the facts stated, he did look on the account given of the affairs of India as satisfactory in the extreme. With regard to the question of cotton, he entirely concurred with his right hon. Friend that it would have been the greatest invasion of all the principles of sound political economy for the Government to have interfered and guaranteed a fixed price for cotton at the port of shipment. As a general rule, the people of India would be found the best agents for developing the resources of that country. Upon the whole, it was impossible for any one connected with the trade of India not to feel that the present extent of that trade was but a drop in the ocean compared with what it would be when the railroads in India were completed. The increase in the cotton, coffee, and tea trade would astonish the world. There was only one further remark he had to make. He wished that justice had been done to the merits of two gentlemen to whom, he must say, we were particularly indebted in connection with the reductions in military expenditure—he meant Colonel Jamieson and Colonel Balfour. They had rendered most important services, and he thought they were entitled to public acknowledgment.

Mr. KINNAIRD said, he had listened with great interest to the statement of the right hon. Gentleman the Secretary for India, and, without entering into the controversy about Mr. Laing, he must say that the right hon. Gentleman had borne out the statement he had made, and had satisfactorily answered the questions which had been put into their hands that morning. He did not know that he should have risen but for the speech of the hon. Member for Dumbartonshire (Mr. Smollett). That hon. Gentleman had made an attack upon Sir Charles Trevelyan which was scarcely worthy of him. He had ridiculed the visit which Sir Charles had paid to the Godavery, and said that he had come out with one of his claptrap statements. That was not language to be held respecting a public servant who had performed such eminent services as Sir Charles Trevelyan had done. He had himself seen a letter from an eyewitness, dated March last, with respect to the works now going on upon the Godavery, so that he could give the hon. Gentleman some information on the point. The letter stated that the whole delta was watered, the people paying to Government two and a half rupees an acre for irrigation, and the water-tax alone yielding a revenue of from five to six lacs of rupees; that every Native seemed well to do, the villages appearing to be full of comfort; that in most of them a patch of ground was set apart for the growth of cotton, the people cultivating just enough for their own consumption. [*A laugh.*] An hon. Gentleman opposite seemed to be much amused. Perhaps he regarded the dearth of cotton in Lancashire as a fit subject for laughter. ["No."] The improvement of the Godavery, instead of being a work to be sneered at, would tend not only to the future benefit of

India, but of this country also, especially in regard to the supply of the raw material of our staple manufacture. He had listened with extreme regret to the attack that had been made upon the Madras Irrigation Company. The noble Lord the Member for King's Lynn (Lord Stanley) had minutely examined the project of that Company, and they were encouraged by his sanction to undertake these great works. He trusted that his right hon. Friend the Secretary of State would not be deterred by the observations of the hon. Member for Dumbartonshire from aiding the development of the resources of India, where necessary, by a Government guarantee, and that he would use his best endeavours to encourage British capital to flow into that country.

COLONEL DICKSON said, he did not know whether the hon. Gentleman who had just down was a member of an irrigation company himself; but he must protest against being supposed to regard the cotton famine in Lancashire with levity because he had smiled at hearing that certain persons in India grew enough cotton for their own consumption. He must say that he thought the hon. Member for Dumbartonshire had not been treated fairly in that debate, his remarks having been greatly misinterpreted. A debt of gratitude was due to that hon. Gentleman, who, speaking from his own knowledge of the subject, had exposed a scheme for introudcing capital into India which could not prove remunerative.

MR. BUXTON said, that this was not the first occasion on which the hon. Member for Dumbartonshire (Mr. Smollett) had gone out of his way to express his contempt for a man who was not there to defend himself, and whose administration, during the year and a half that he was at Madras, had been spoken of on all sides in terms of the warmest admiration. It had been universally allowed that Sir Charles Trevelyan — whatever mistakes he might have made in respect to the publication of a certain despatch—had done a marvellous amount of work for the benefit of India, and that his recall, whether necessary or not, had been a misfortune, not to himself alone, but to the Natives of that country. With regard to the loss by the exchanges, he regarded what had been so termed as an investment by the Government in railways. It ought to appear under the head of Public Works; for it represented, in fact, a portion of the public works undertaken by the Government in India.

COLONEL SYKES said, that the right hon. Gentleman the Secretary of State had found fault with the Governor General, with his Council, and with his Chancellor of the Exchequer; but at the same time had been obliged to admit that Lord Canning and his Council had—by their recent legislative measures giving permanency to rights to land, by the admission of the just claims of the native nobility and gentry, and by the modification of the income tax, consolidated for many years to come British influence in India. With respect to the two points especially in dispute, the loss by exchange and taking credit for monies forthcoming from China, he thought Mr. Laing's own published statements were the best argument in favour of his view. The hon. Member then read the passage. With regard to the loss by exchange it was, according to Mr. Laing, a mere question of account, and was a theoretical and not a practical loss. With regard to the advances made in China account, the Secretary of State stated that the advances were never charged in the accounts of India; but such a sum as £1,700,000 must have been taken into account, or the cash balances represented £1,700,000 more than their real amount, a blunder not likely to be made. Mr. Laing did not mean that the amount brought in this year in repayment from China was revenue, but miscellaneous receipts. But the whole question was a mere matter of account, and did not deserve the discussion it had undergone; and even if the Government had been wrong in anything, after Mr. Laing's acknowledged public services there might have been more forbearance. He wished to say one word as to increased taxation from the income tax in India. The people of that country looked with horror upon new taxes, and especially upon an income tax, which brought an inspector into their houses and among their women, and unnecessarily gave rise to hostile feelings against us. He could not see the necessity for the enormous European force now maintained in India, exceeding 74,000 men, nor for the distrust of Native troops, when he remembered that it was the loyalty and discipline of the Native armies of Bombay and Madras which mainly prevented our being driven to the coast. The neck of the rebellion was broken by 45,000 European troops in

1857, and Delhi was taken before any reinforcements had arrived from Europe; but now we had no enemy, nor the prospect of an enemy to contend with. Lord Canning had said that he would rather maintain India with 40,000 Europeans and no new taxes, than with new taxes and 100,000 Europeans. The maintenance of this large force in India prevented the repeal of the 5 per cent import duty and of the income tax. He agreed with the right hon. Gentleman the Secretary of State, that we must maintain our power by an adequate military force; but if we desired its permanency, it must be more through the good will of the people than by the aid of the bayonet; but he doubted whether that good will could be conciliated if we maintained an income tax. Moreover, the fathers and mothers of England, and England itself, had a right to complain of the unnecessary waste of the youthful blood and sinew of the country by exposure to the great mortality in India.

Mr. MARSH said, he thought the worst possible tax in India was a tax upon cotton goods, which made the consumer in that country pay not only the tax upon imported goods which the Government received, but also a corresponding increased price upon native manufactures, from which the Government derived no benefit. He suggested that a small tax should be raised on the gold and silver ornaments worn by the men in India, which would, in fact, amount to a sort of poll tax.

Mr. PULLER said, he could not but regret that a gentleman who had so highly distinguished himself in India as Mr. Laing should, on returning to this country in broken health, be met by a despatch like that of the Secretary of State; great allowance must be made for his feelings under such circumstances. But, at the same time, as the home Government had taken such a view of the Indian budget, it could not but insist upon its views if it desired to retain its authority over the Government of India. One point had been altogether lost sight of in the discussion, and that was that the Indian budget presented to the House was but a partial budget. It was merely an estimate of the revenue and expenditure out of that revenue. It did not in any way show the cash balances. In such a state of things it might naturally become a matter of doubt as to which account certain items could be carried to. It would be unjust to Mr. Laing to say that there had been anything like deception on his part, for the Indian Government was perfectly aware of the difference between him and the Secretary of State; but having received such clear instructions from home, it was the duty of the Indian Government to have made their accounts in the way prescribed to them. The right hon. Gentleman had pointed out that the £500,000 of repayments for the China war and advances to the Imperial Government did not in any way belong to revenue, but he had omitted to say what he intended to do with it. He suggested it should be applied to the improvement of the local communications, in the same manner as the £380,000 of which the right hon. Gentleman had spoken had been devoted to the making of roads. Such an expenditure would not only be of permanent advantage to India, but would facilitate our obtaining those supplies of cotton which were so much needed by this country at the present time.

Sir CHARLES WOOD said, he must express his gratitude for the kind manner in which the Committee had received his statement, and the credit which they seemed disposed to give to the Government for the course which they had taken in endeavouring to improve the condition of India. With regard to the interest on the Indian railways, it was treated as extraordinary expenditure now; and if it ever was repaid, the receipts would be treated as extraordinary receipts. In the same way the loss of exchange was an annual charge; and when the receipts came in, it would be treated as a portion of the annual receipts. As to the charges for China, they appeared under the head of supplies to London. They were, in point of fact, sums disbursed by the Indian Treasury in Calcutta, which were paid to the Indian Treasury in London. It was just as if a million of money was sent from Calcutta to London. The Indian Government advanced it for the service of the Imperial Government in India, and the Imperial Government repaid it here. It was nothing but a transfer of a million from the Treasury at Calcutta to the Treasury in London. With regard to the cash balances, they might be high, but this circumstance did not prove the existence of a surplus of income over charge, as they might be swelled from other sources. He hoped that there might be a surplus; but that would not prove, more than the amount of the cash balances proved, that any item was properly inserted or omitted in the accounts. It would only prove that the estimates of income and expenditure formed in India were wrong. But he wanted to establish a system of accounts which would show what the income and expenditure were, and how the finances of India really stood. He had already explained the matter fully, and no one had contravened the position which he had laid down in his statement to the Committee. He had a most painful duty imposed upon him. He had no intention to say anything which could personally annoy Mr. Laing; but as one of the minutes he had mentioned in the correspondence was signed by Mr. Laing, he could not avoid referring to that gentleman's name. Mr. Laing had exerted himself in the service of this country and of India, and he was most ready to bear witness to the importance of those services. Upon a point of principle he was obliged to challenge a doctrine laid down by Mr. Laing, and he was very sorry if he had unintentionally said anything to give offence to him or his friends. With regard to the health of the troops, what he said was that at the time the recruits arrived in India last year there was an excessive mortality, owing to the prevalence of cholera at that period.

Resolutions *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow.*

LUNACY (SCOTLAND) BILL—[BILL No. 205.]

LORDS' AMENDMENTS.

THE LORD ADVOCATE, in moving that the Lords' Amendments to this Bill be considered, said, the Bill had come down from the other House under circumstances such as he never remembered as having occurred before. The Bill had been thoroughly considered in the House of Commons in all its stages. It had been sent up to the other House in ample time, it had been discussed there in all its stages, and it was not until the last stage—the third reading—that any important Amendment had been proposed. It was on the third reading that a clause was introduced which had entirely changed the character of the Bill. The Bill as it left that House proposed to continue the Board of Commissioners for two years; but an alteration had been made in the clause, by which all the advantages of the legislation of 1857 were lost for the want of machinery to carry it out. The Bill had come back in the midst of a fire of artillery from out of doors greater than he had ever recollected in regard to any Scotch measure; but he denied that any imputation rested upon him, or that he had been guilty of any breach of faith. He had not been guilty of any breach of arrangement in striking the 22nd clause out of the Bill. It was struck out after full discussion, and its omission certainly did not escape the attention of the great majority of the Scotch Members. There was no understanding that he should put in a clause repealing the provision of 1857, but quite the reverse. He felt that he had no other alternative than to move now that the Lords' Amendment on this subject should not be agreed to. The Amendment had been proposed at a time when it was generally supposed that the Bill would pass with but trifling Amendments; and under that impression many Scotch Members had left town. The Amendment made in the other House had been made without any notice, and the country had had no opportunity of considering it.

Lords Amendments *considered,* and *agreed to,* as far as Clause A.

Clause A, read 2°.

Motion made, and Question proposed, "That this House doth disagree with the Lords in the said Amendment."

MR. BLACKBURN said, that any one who was acquainted with the learned Lord Advocate must acquit him of any intention to mislead or deceive, or any breach of trust on any side. The effect of the Lords' Amendment was that the Board should continue in existence as long as the Act should continue. He therefore proposed, as a mode of settling this matter, an Amendment upon the Amendment of the Lords, to the effect that the Board should continue till Parliament should otherwise determine.

THE LORD ADVOCATE said, he should willingly have accepted such an Amendment in Committee; but he had doubts about accepting it now that so many of the Scotch Members were away. What he objected to was that the Bill as it came from the Lords destroyed the machinery by which the Act could be worked.

MR. CRAWFORD moved the adjournment of the debate.

Question proposed, "That the Debate be now adjourned."

SIR JAMES FERGUSSON hoped the

hon. Member for the Ayr Burghs would not press his Motion. The compromise proposed by the hon. Member for Stirlingshire was a very fair one, and would give general satisfaction in Scotland.

Motion and Original Question, by leave, *withdrawn*.

Amendment amended, and *agreed to*.

Consequential Amendment made to the Bill.

Notice taken, that 40 Members were not present: House counted; and 40 Members not being present,

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, July 18, 1862.

MINUTES.]—PUBLIC BILLS.—2ª Parochial Buildings (Scotland).

3ª Merchant Shipping Acts, &c. Amendment; Summary Jurisdiction (Ireland); Juries; Elections for Counties (Ireland); Copyright (Works of Art).

COLONIAL FORTIFICATIONS.

MOTION FOR CORRESPONDENCE.

THE EARL OF CARNARVON rose, according to notice, to call attention to certain Charges connected with Colonial Fortifications and Defence; and to move for Copies of Correspondence between Her Majesty's Government and the Governor General of Canada in reference to the Militia Bills proposed and passed in the Canadian Parliament. The noble Earl said it was difficult, with such exciting news as had just been communicated to their Lordships, to expect their calm attention to the subject of his remarks; but bearing in mind that they would shortly be asked by Her Majesty's Government to give a second reading to the Bill on Fortifications—after which, no doubt, they would take the earliest opportunity of introducing the Appropriation Bill—it might be advantageous to clear the ground by a few preliminary observations. Previous to making any remark on military expenditure with reference to the Colonies, it would not be perhaps beside the mark, to note the great increase of charge for that expenditure which was included in the Estimates, commonly called the Colonial Estimates, and which had taken place within the last seven years. In 1856 the total outlay under this head was £320,000; in 1857 it was increased to £382,000; in 1858 it stood at £316,000; in 1859 at £428,000; in 1860 to £483,000; in 1861 it had risen to the very high figure of £689,000, showing an increase of £206,000 over the previous year. The Estimates for the current financial year placed the civil colonial and consular expenditure at £937,000, or nearly a quarter of a million over the increased expenditure of the previous year. The amount had risen in six or seven years from £320,000 to a point little short of a million. Surely an increase so rapid was in itself sufficient to attract the attention of Parliament. In turning to the increase of expenditure proposed under the present Estimates, it was apparent that the amount was made up in various manners; but the amount was perhaps of less importance than the principle involved. In part it was accounted for by a heavy loss in the exchange of money; in part by the liquidation of liabilities incurred by Sir George Grey, when Governor of the Cape, on his own responsibility; in part by the settlement of some Hudson Bay Company claims, and in part by the creation of some fresh consular establishments in China and Japan. Among other things was the foundation of the new colony at Lagos. Now, setting aside the right or wrong of this annexation, it involved fresh permanent expenditure. There were three settlements on the coast of Africa, of which two exceeded their income, and one was only £700 within it. Taking, however, the average expenditure and income of all, there was on each a deficit of £4,500 a year, which this country had to make good. Every ship of war, and every detachment of troops sent out was merely digging a fresh grave for the European colonists, while the vague indefinite jurisdiction always maintained upon the coast was laying the foundation for disputes, and it might be military operations of a very costly character. This sum of £937,000 was not by any means the whole cost of the colonies to this country. If he were to attempt to give their Lordships any account of that, he thought he should be obliged to go to the Estimates for the naval and military expenditure of the country, and probably they would find it necessary to multiply the total amount of the colonial and consular Estimates by the figure four or five. The Motion, however, which he had placed on the table had no reference to the expenditure incurred in garrisoning the fortifications in the colonies, but to the expenses which were being incurred in building the various fortifications. Nor would he enter upon the question of colonial fortifications as a whole; he would merely touch upon those which were included in the Estimates for the coming year. In the Army Estimates for the present year it was proposed to appropriate money for fortifications at Malta, Gibraltar, Bermuda, the Ionian Islands, Mauritius, St. Helena, Jamaica, Nova Scotia, and New Brunswick. With regard to these he might lay down a threefold classification. Those fortifications, which were of great acknowledged value to this country might be placed in the first class; the second would comprise those of questionable or doubtful value; and the third those of very little or no value at all. In the first of these classes he unhesitatingly put such fortresses as Malta and Gibraltar, and with a little hesitation he would include Bermuda. Gibraltar, indeed, formed part of the history and traditions of the country, it was in this day the key of the Mediterranean, and it was not in strengthening such fortifications as those he should grudge the expenditure of any amount of money that might be necessary. The same might be said with respect to Malta, which was, as it were, the halfway-house between the east and west. To sum up the whole question in a few words, he would say, that if they desired to retain our empire in the East, it was absolutely essential that they should maintain in their full efficiency the forts of Gibraltar and Malta. He was quite aware that occasionally this country had economized money unwisely. There could be no doubt that in 1858, when his noble Friend (the Earl of Derby) came into power, the condition of Malta was highly unsatisfactory, and could not have stood an attack for twenty-four hours against assailants who possessed anything like an efficient naval force. The Government of his noble Friend applied themselves at once to the task of putting Malta into a proper state of defence; and it would be unjust to the noble Duke opposite, and especially to his late friend and relative, Lord Herbert, to say that they did not afford every assistance in their power to further the accomplishment of that object. Thanks to their exertions—and thanks also to the present Governor of Malta, than whom there was no more vigorous public officer—the fortress of Malta was now comparatively safe and secure. Bermuda, again, was of the highest value to this country, but on the condition that it could be made defensible and tenable against a hostile force, when subjected to the conditions of modern war. For all these three places it was proposed to take money, and he did not grudge a single farthing which was to be so voted. He now came to the second class—that of fortifications the value of which was more doubtful. The first place in this list was the Mauritius. He was aware that there might be advantages derived from the possession of the Mauritius; but it ought not to be forgotten that the alterations which had been introduced into the art of warfare by the application of steam, and the modification of the laws of war by the abolition of privateering and the adoption of the principle that a neutral flag should cover the goods of belligerents, had materially diminished those advantages. More than this, it ought to be borne in mind that there were on the island of Mauritius eleven different points at which an army could be disembarked; and that to render the place thoroughly defensible, it was calculated that a garrison of not less than 5,000 or 6,000 men would be required—a number which it was not likely that this country could at any great military crisis spare for its defence. On the other hand, it must be borne in mind that an inadequate garrison would only be in the position of one caught in a trap, and we should be in danger of having our fortifications turned against ourselves. Yet the Estimates showed that at the Mauritius we had spent £140,000, were spending £15,000, and next year or the year afterwards were about to spend £50,000, in fortifications. At St. Helena we had spent £10,000, and were spending £3,000, and according to Sir John Burgoyne's own estimate, £10,000 or £15,000 more would be required before the works could be placed in a position of reasonable defence. The Ionian Islands must also be placed in this class. He looked upon these islands more as a trust confided to us, than as a colony—more as an obligation than as an advantage. He had for a long time thought that it would be our wisest policy to discontinue the maintenance on these islands of a separate military command. It was true that some troops were required there to maintain order, and insure respect for the protecting Power, but beyond that the advantage of troops seemed very doubtful, and *à fortiori*, the usefulness of fortifications might be questioned. Military authorities had repeatedly laid it down, that in the event of hostilities it would be impossible, in spite of the fortifications, to hold the town of Corfu without inflicting upon the people the extremities of war. It was true that at that point we were expending but a very small sum, but a variety of these small sums would involve in the aggregate a considerable outlay; and, whether the outlay was large or small, an important principle was involved in every expenditure of the kind. In the third class, which included fortifications which were of very little, and in some cases of no value, the first place that he would deal with was Jamaica. By the Estimates of the present year £1,000 was appropriated to the improvement of the fortifications in the colony of Jamaica. That was in itself a trivial and insignificant sum, but the principle involved in the grant was one of great importance. He was at a loss to understand what £1,000 could effect with reference to the fortifications of Jamaica, unless it was intended to be expended merely on repairs. The existing fortifications could not resist an expedition organized and equipped as modern expeditions were; and if these fortifications were intended to resist merely privateering incursions, it would be more reasonable to cast their charge upon local resources, than on the Imperial Treasury. The sum apparently voted for Nova Scotia was £5,000, and that for New Brunswick £5,000. It might be desirable to protect the important city of Halifax against attack; but the fact was, that if Nova Scotia and New Brunswick valued their connection with this country, and appreciated the political independence which, practically, they enjoyed, they must, in a great measure, depend for their defence upon themselves, and upon their own local efforts. There was also a charge of £1,000 for Newfoundland; but the fact was that that colony could be attacked only by sea, and the only means of insuring its security was by the maintenance of our maritime supremacy. He disclaimed all sympathy with those visionaries who, while they would fain reduce our military and naval armaments to a state of inefficient mediocrity, grudged every shilling that was spent on colonial defences. He was quite ready to agree to any expenditure for that purpose upon two conditions—first, that our honour or interest rendered the position in question worth fortifying; and, second, that the position was one which, according to the practices of modern warfare, was capable of being fortified. In short, he desired to see our colonial expenditure for fortifications regulated on some definite principle. At present there seemed to be no system at all. While in some cases we economized unwisely, we lavished our money on other places where there could be no advantage proportionate to the outlay. With a population of 28,000,000 we undertook to maintain garrisons, and with a national debt of £800,000,000 to erect fortifications in almost every part of the world. The fact was, that we were attempting a great deal too much. We were trying to embrace more than we could possibly hold, and were incurring a serious risk of losing the substance while we grasped at the shadow; and the source of the evil was that Parliament was pledged unconsciously, by a small instalment in the first instance, to a large ultimate expenditure.

There was one point with regard to Canada which he wished to notice before he concluded. About the year 1859 it was deemed necessary to place the militia of Canada on a more efficient footing; and an Act of the Canadian Legislature was passed for that purpose. At the same time, however, that the force was improved its number was limited to 5,000. That might have been quite sufficient at that period; but since then circumstances had greatly changed. A convulsion had torn asunder the United States, and a very bitter feeling had arisen against England on the part of the American people. The present situation imposed new duties both on England and on Canada. It was, therefore, only natural that there should be a strong feeling in that colony that the militia ought to be reorganized. Under the late Government of Canada a recommendation was made, by Commissioners appointed to inquire into the subject, that there should be an active Militia of 50,000, and a reserve of the same number. A Bill was introduced to increase the Militia, which substantially gave effect to these recommendations, without, however, asssigning a precise limit to the number of men. That measure was unfortunately rejected by the Canadian

Legislature. The colonial Ministry resigned, and under their successors another Bill had been passed, which, in addition to the force authorized by the Act of 1859, created a "sedentary" Militia of 5,000; thus limiting the total Volunteer force in Canada to 10,000 men. The new body was, however, of scarcely any value, as it was not to be called out. He did not for a moment doubt the loyalty of Canada to the British Crown, nor was he unaware of the financial difficulties of the colony; but he deeply deplored the resolution at which the local Legislature had arrived. He could not understand how Canada, when 1,000,000 troops were engaged in a civil war in the country which adjoined her own frontier, and when threats of conquest and annexation were continually thrown out against her, could possibly bring herself to believe that a contingent of 10,000 men was her fair and equitable proportion of the force required for the defence of the territory under the present critical circumstances. But if, indeed, this was her deliberate opinion, it became our serious duty to consider whether it was right to leave the flower of the English army in a position of acknowledged peril in order to defend a country which would not contribute either money or men to its own defence. There was no more difficult or pressing question than the relationship between the mother country and the colonies in regard to military expenditure. It was not a mere matter of money—interest, honour, sentiment, and humanity were alike involved. Into that question he would not now enter; but it must be admitted that of late years the character of the relationship had been reversed, and while the bulk of responsibility remained with the mother country, the main body of advantages belonged to the colonies. He held that there ought to be not only a community of feeling but a real and equitable proportion of the common burdens between England and her dependencies. Duties and rights went hand in hand, and the people who were desirous of enjoying the privileges of constitutional freedom must be prepared to make some sacrifices in return for that inestimable boon. The noble Earl then *moved*—

> "That an humble Address be presented to Her Majesty for Copies of Correspondence between Her Majesty's Government and the Governor General of Canada in reference to the Militia Bills proposed and passed in the Canadian Parliament."

The Duke of NEWCASTLE: My Lords, it would have been more convenient if the noble Earl had not prefaced his observations upon colonial fortifications by reference to the subject of colonial civil expenditure, of which he had given no notice, because it is impossible upon the spur of the moment to discuss or verify statements in which figures are largely introduced. I charge the noble Earl with committing an error against the interests of the public service by introducing such a topic, without the slightest intimation of his intention, when he knew that the Colonial Minister must avow his inability to deal with it, without reference to documents. But, although I am unprepared to meet all the figures which the noble Earl has quoted, I have not the least hesitation in saying that my noble Friend is singularly and entirely in error, both in his facts and in his figures, and I can only imagine that he has quoted from one class of the Estimates which include not merely the civil colonial expenditure, but the consular and diplomatic charges of the country. The noble Earl comes down to the House, and before entering upon the important question of which he has given notice, says he wishes to point out the reckless way in which the Government has proceeded.

The Earl of CARNARVON: I made no charge of recklessness against the Government. I merely cleared the ground by saying that for many years there has been a considerable increase in the expenditure under the Estimates strictly called colonial.

The Duke of NEWCASTLE: If the noble Earl does not intend to represent it as reckless expenditure I am perfectly prepared to say, that if the figures he quoted were correct, the expenditure could only be characterized as most reckless. The noble Earl says that in four or five years an expenditure of £300,000 or £400,000 has increased to £937,000. I will undertake to say that those figures do not represent the colonial civil expenditure, or anything resembling it. I will undertake to say that the colonial civil expenditure has been gradually and steadily decreasing year by year for many years past, and I defy the noble Earl or any one to bring forward proofs to the contrary, notwithstanding the assertions which he has made. The item of payment to the Hudson's Bay Company for their rights over Vancouver's Island, which occurs this year, cannot be strictly called colonial expenditure; and though the item for the Cape may be more properly said to belong to colonial expenditure, it is an expenditure which was incurred many years ago. I am not aware whether the expenditure for consular establishments has increased; but if my noble Friend the Foreign Secretary were present, he would, no doubt, be quite able to justify the outlay. Having raised a prejudice against the civil colonial expenditure, the noble Earl, before entering upon the question of fortifications. proceeded to deal with the smaller yet important question of Lagos. We had an opportunity, by a treaty with the King of that country, to enter upon the possession of Lagos, and it was done with the full consent of Parliament. It can hardly be called colonial expenditure. It is not with the view of colonizing, but to enable us to suppress the slave trade, and it is as much a part of the expenditure for that object as the expenditure upon every ship kept upon the west coast of Africa. My noble Friend said that in discussing the question of colonial fortifications he would divide the fortresses into three classes—one unquestionably valuable, one questionably valuable, and the third of no importance at all, and which ought not to be maintained. I do not agree with my noble Friend's classification, still less with the division of the fortresses by the Committee of the House of Commons into two classes—one of Imperial, and the other of purely colonial importance. I believe they may be more properly divided into five classes at least. Those in the Mediterranean, at Halifax, and at Bermuda I place in the first class. They are of great Imperial importance, with the view of maintaining the power and position of this country, and not one could be abandoned without detriment and discredit. The next are of nearly equal importance, at the Mauritius, Hongkong, and Simon's Bay. They are situated in the highways of the great maritime traffic of this country; and if lost, our commerce in time of war would be exposed to destruction. The third class is of great importance as rendezvous for our ships in time of peace, and still more so in time of war, and it includes Port Royal, Antigua, and Trincomalee. My noble Friend has spoken of Trincomalee, and I ask any one whether anything could be more monstrous than to call upon the island of Ceylon to maintain a fort at Trincomalee? It is of no more interest to the island of Ceylon, than the tower of London is to England; its sole object is to protect that magnificent harbour, the only available harbour in the Bay of Bengal. In the fourth class I place the forts on the west coast of Africa, which I would place in the same condition as Lagos; they are kept up for the protection, not of colonists, but of persons living there for Imperial purposes. In the fifth class I place the whole of the remaining fortifications, small in value, though not small in number. They may be said to be for colonial purposes. I will readily admit that they may either be abandoned altogether, which would probably be the most desirable course in many instances, or handed over to the Colonies to do with them as they please. Early in the present Session I put myself in communication with the illustrious Duke on the cross benches, the Commander-in-Chief, and the right hon. the Secretary of State for War, with a view to carefully consider, individually as well as collectively, the whole of the colonial fortifications. The illustrious Duke wished the question to be carefully considered at the Horse Guards with the assistance of the Under Secretary of State for War on the part of the War Office, and the Under Secretary for the Colonies on the part of the Colonial Office, and in a few days I anticipate we shall have the result of their inquiries. No doubt there has been a large expenditure on colonial fortifications, and I am not by any means prepared to say that it has been altogether judicious; in fact, a great deal of money has been spent which will turn out to be perfectly useless; but the noble Earl is entirely wrong in supposing that the principle on which the works are proceeding in the Mauritius is of an obsolete character, and would be of no use in modern warfare, and also when he says that they will require a garrison of from 5,000 to 6,000 men. Fortifications, no doubt, were originally projected for that amount, but the works now are confined solely to the fortification of the little island which protects Port Louis; the fortifications as originally planned would have required that number of men. The noble Earl says that under the altered circumstances of warfare, and the commercial laws of the world, he could not see the importance of maintaining the fortifications of the Mauritius. I know that that opinion has been expressed by many persons; but I cannot conceive how anybody can imagine that position to be other than of Imperial importance, considering the immense trade passing between India and the Cape of Good Hope. We should remember what loss we sustained from that position being in the hands of the enemy before we took possession of it in the last great war, and the same consequences cannot but follow if we abandon it. These fortifications cannot be said in any way to be for the purposes of the Mauritius—they are entirely for an Imperial interest. I readily admit that it would be a waste of money to attempt to fortify every point on the island; for the protection of the island must mainly depend on the fleet: but, still, if the fleet be not in full force at the time of the attack, it is quite clear that this fort would be of the utmost service in the defence of the island. With regard to St. Helena, I believe a sum of £3,000 has been taken this year; the fact being, that if there are to be any fortifications at all there, they must be restored, for at present they are quite obsolete, and the guns almost useless. The noble Earl expressed considerable doubt about the Ionian Islands; but when he said that we held those Islands under treaty provisions, he gave sufficient justification for what we have done there. If we have been put into possession of those Islands under a treaty, it is quite clear that we must prevent them from being taken by any foreign Power. The noble Earl did not object to a certain number of troops being kept there to preserve order among the inhabitants; but that has always been a secondary consideration. Troops have always been kept there for the purpose of securing the fortresses and maintaining the Islands as Imperial garrisons, and surely the noble Earl does not mean to say that we could place these men in different parts of the Islands unprotected by fortifications. That would be a certain way of exposing them to considerable danger. These are the fortifications which the noble Earl extracted from the second class, and which he said he disapproved of. He then came to some minor points, and first of all to Jamaica, for which there is a Vote of £1,000, which he treated as if it were intended for the protection of the inhabitants. But the noble Earl must be aware that at Jamaica there is a great naval establishment. There is a considerable amount of naval stores at Port Royal, and I am sure my noble Friend the First Lord of the Admiralty would be unwilling to leave them there without protection. When the alarm of a war with America was raised by the *Trent* affair, we found that the guns on the fortifications at Port Royal were quite insufficient to protect it against any privateer which might come in to shell the dockyards. The same observation applies to the sum of £1,000, which has been taken for Newfoundland. The harbour of St. John's, though not of sufficient size to be of great value for any naval purpose, gives accommodation for half a dozen ships-of-war and a large fleet of merchantmen. The entrance to the port is narrow, and up to the time when the *Trent* affair took place it was totally unprotected. The only battery on which any guns were placed was on the top of a cliff, for the purpose of saluting, and any privateer might have sailed into the harbour, levied contributions on the town, and destroyed the shipping. In this state of things I felt bound to apply to the War Department to remedy that defect, and the sum of £1,000 has been taken to place guns on a battery already existing. The noble Earl is in error in supposing that because £10,000 appears in the Estimates for Nova Scotia and New Brunswick, that therefore £5,000 is taken for each. The greater portion of the expenditure of that £10,000 is intended for Halifax, and is rendered absolutely necessary by the condition of that fortress. Everybody knows that the altered system of warfare, the increased weight of armament, and other considerations, render alterations necessary in fortifications; and I may say that this is the cause of a great part of the expenditure for fortifications. In these times you must place your guns in casemated batteries, and where they do not exist you must create them. Indeed, I am astonished that these fortifications have not cost more money. With regard to New Brunswick, when war with America was anticipated, it was found that the town of St. John's and its harbour were entirely at the mercy of any privateer which chose to sail in; and as this was the point at which we landed the greater part of our troops and some of our stores, it was of great importance that it should be protected. Then there are the coal-mines at Sydney, Cape Breton, which supply our fleet on that station with coal, which require protection. Several shafts have been sunk to the coal, but none of them are more than half a mile from the sea, and a ship of war might go and destroy the works and deprive us of the benefit of the coal, perhaps, during the remainder of the war. A battery for six guns has been erected to protect these mines; but no other expense need be incurred, beyond the cost of one or two officers, because the proprietors have undertaken to drill their men to work the guns. I believe that I have now gone through the points raised by my noble Friend with regard to the colonial fortifications. He said he should avoid the more general question of the colonial military expenditure, and I will follow the example of my noble Friend in this respect. Whenever the question comes before your Lordships, I shall be prepared to enter into it fully. Meanwhile I may say that I believe a good deal may be done to reduce that expenditure, and, indeed, measures are in progress—at any rate, they have been proposed by me, and are now under the consideration of the military authorities—for reductions in three or four of the most important dependencies. But I wish to observe—and it is a singular and important fact—that, comparing the present number of troops in the colonies with the number stationed there twenty years ago—though I am bound to say that in that year there were more troops in the colonies than usual—we have now only forty seven battalions in the whole of our colonial dependencies, greatly increased as they are during this period, while in the year I mentioned the number of battalions was sixty. And then the number now in the colonies includes seventeen battalions in Canada and New Zealand, who are there under very exceptional circumstances. Your Lordships will therefore see, that considering those exceptional circumstances, there never was a time when so small a number of British troops was maintained in the colonies as at present. I come now to the last point mentioned by the noble Earl—the subject of the Canadian militia; and I may say that I have no objection to the Motion of my noble Friend if he will consent to insert the words "or Extracts." I have no doubt that his experience of office will enable him to see that in a matter of this description it will be necessary to provide for the production of copies "or Extracts" from the correspondence with the Governor General on the subject of these Militia Bills. I concur very much with what has been said by my noble Friend on this subject. It is deeply to be regretted that the Canadian Parliament should have rejected the Bill which was proposed for their acceptance, or that they should have separated without having passed some efficient measure for the defence of the colony. I am not prepared to say, that if things were not as they are, this measure would not have been a step in advance; but taking the present state of things into consideration, the force of militia which is now proposed as their contribution towards its defence is a most insufficient force, and I think that the Canadian Parliament ought to have made a very much larger provision. Perhaps the Bill which was thrown out was of rather too ambitious a character as regards some of its provisions, but certainly not as regards the number of men to be provided. The proposal was, that there should be a force of 50,000 effective men, and 50,000 reserve. I think that that would not have been too large a provision for the defence of the colony, though the expense of maintaining such a force would have been very heavy, amounting to between £400,000 and £500,000 for the first year, and upwards of £300,000 for every succeeding year. I can sympathize with those who wish to keep down expenditure in Canada; but it would have been better to starve other services than to leave the colony with only 10,000 militia to assist the Imperial troops in defending it. The Bill, however, doubled the existing force, and the spirit now existing in favour of volunteering will, I hope, greatly increase that force, and it will also hereafter be far more easy to call out the militia than it has hitherto been. The Governor General found that his hands were almost tied last year; but facilities are now given for rendering the force more easily available. In any case I believe that the spirit and the loyalty of the Canadian people may be relied upon. I do not believe that they would have shrunk from the expenditure which would have been thrown upon them by the Bill first proposed, and I am certain that whether it costs them much or little, they will be ready to come forward when the moment arrives. Though, however, they may be ready, organization will be wanting, and they will not possess the experience and the discipline which will render their services of value. On every ground, therefore, I deeply regret the course which has been taken by the Canadian Parliament. I believe the injury done will be at the earliest moment repaired, and I hope that moment may not be too late. Whether it be so or not, every effort has been used to induce the Canadians to take a different course instead of rejecting a Bill of paramount national importance upon a mere party question.

THE EARL OF ELLENBOROUGH: My Lords, I must express my entire concurrence with the noble Duke in his expressions of extreme regret at the conduct of the Canadian Parliament in not passing the Militia Bill. I cannot understand what spirit of infatuation can have possessed that Parliament to induce them to act in such a manner. Is it possible that they cannot see—what every other man must see—that in whatever manner the present civil war in America terminates—whether in the success of the North, or in the South succeeding in establishing their independence—the immediate result will be an irruption into Canada? If the people of the North fail, they will attack Canada to obtain a compensation for their loss. If they succeed, they will attack Canada in the drunkenness of victory. They will then have an army which it will be difficult to control—an army very differently constituted from any which America has ever possessed before. It is idle for us to talk of opposing to the American army, as it is now constituted, the troops which in former times were considered sufficient for the defence of Canada. The circumstances have entirely altered, and yet I can recollect, some years ago, the despatch of a Governor General, who said that 50,000 British troops were absolutely necessary to enable Canada to defend herself against the United States, weak as they then were, having, I believe, not above 13,000 regular troops dispersed over the whole country, and a militia without discipline, the achievements of which, if achievements they can be called, during the last war, were such as to cover the military profession with ridicule. We have now sent to Canada all the men we can spare for her defence, and the Canadians must not look to us for further support. Occasions may, indeed, arise when it might be extremely difficult for us to part even with the 12,000 troops we have now sent to the colony; yet it is idle to suppose that Canada can be defended without disciplined troops. She can only be defended by the regular army of England combined with the local forces; and if Canada is to be protected from successful invasion, the whole population must come forward, as the people of the Southern States have come forward, in defence of their soil. To suppose that any country in the world can be defended against a regular army by coming forward in a state of enthusiasm — Sir Charles Napier observed, "Enthusiasm runs away"—to suppose that the Canadians when invaded are to come forward in a state of unarmed and undisciplined enthusiasm against the well-armed and the disciplined army of the United States is to suppose what is utterly impracticable, and every reasonable man in the country must know it to be so. If the Canadians persist in the course which they have recently taken, I shall see with very deep pain and apprehension that which, under the circumstances, would be but a handful of British troops left alone in Canada, and dispersed over the country, to fight a desperate battle in which they must lose their lives and imperil the honour of their country. My Lords, I think it is a little too much for the Canadians to take our troops and not to take our goods. It is a little too much for them to expect, under these circumstances, that we shall continue to incur the sacrifices and to run the risks we now run, when they thus requite the friendship which we desire always to entertain for them.

LORD WODEHOUSE said, the noble Earl who had just sat down had expressed more forcibly than he could hope to do the condition of things which now existed in Canada. That condition was most unsatisfactory; and though he did not believe with the noble Earl that an attack on Canada at the close of the civil war in the American States was inevitable, no man could help feeling that such an attack was far from improbable. That being the case, they had heard from the noble Duke at the head of the Colonial Department what our position at present was with respect to Canada. However good the feeling of the Canadians towards this country might be—and he was not disposed to depreciate it, for he believed a good feeling really did exist—it was clear they were not prepared to make those sacrifices which the position of Canada demanded. On the other hand, there was no disposition on the part of this country to shrink from doing all that she might fairly be called on to do in order to defend Canada against any attack; but the people of England had a right to expect that the Canadians would do their part. The Canadian Parliament had, he might say, almost entire control over the government of that province, and it had not failed to exercise that power for local interests. He should be the last to complain of that, because it was a mockery to give a colony free government and not allow it to use its freedom; but he was justified in saying that the Canadian Parliament had exercised its powers in the manner it thought best for their own interests, without attending much to the interests of the mother country. They had in particular passed a tariff, which might be necessary—as to the necessity he desired to express no opinion—but which, at all events, showed very little regard to Imperial interests. Yet, notwithstanding that fact, Canada now asked us to bear not only the burden of diplomacy, not only the burden of giving it a part of our not very large army, but also that greater burden involved in running the risk of leaving a small number of our gallant troops in a position where, if they were not supported by local assistance, it would be impossible for them to resist any attack which a large army from a neighbouring territory might think fit to make. It was a very serious question for Her Majesty's Government to consider what the position of our troops in Canada might be during the coming season, when their Lordships knew from the noble Duke (the Duke of Newcastle) that it was impossible adequate arrangements could be made for putting even the Militia on a proper footing before next spring. Nothing could compensate this country for any disaster which proper foresight might prevent from occurring to the portion of the British army now in Canada.

Lord LYVEDEN believed it was necessary that some conclusion should be come to on the subject of the colonial fortifications. If we meant to give up our colonies, the sooner they were given up the better; but if we were to hold them, the national honour would be involved if a successful attack was made against any of them. As the noble Duke at the head of the Colonial Office had said that he would reserve entering into the general question of the military expenditure of our colonies till a future time, he should not enter on that subject. He should, however, ask the noble Duke to explain a statement which he had made, and which appeared

to him to be of a somewhat extraordinary character. His noble Friend had said that the Canadian Parliament could not remedy till next spring the vote by which it made what seemed to be the ridiculous provision for 10,000 Militia instead of 100,000, the number proposed by the Government. Surely the noble Duke did not mean to say it was not in the power of the Governor to call the Canadian Parliament together before next year for the purpose of submitting a Bill to remedy that state of things.

The Duke of NEWCASTLE explained that what he had meant to convey was that under ordinary circumstances the Canadian Parliament would not meet till next spring. If any circumstances should arise to render it advisable, the Governor could call it together before that time. There was not the slightest doubt that it would be competent to him to take that course; but such a step was only taken in cases of emergency.

Earl GREY said, he was rather disappointed at the explanation of his noble Friend. He should have liked to hear from his noble Friend whether Her Majesty's Government did not consider the present an emergency in which they should instruct the Governor to call the Canadian Parliament together. It was worthy of the consideration of the Government whether a considerable body of our troops — including among them the flower of our army — should be left in Canada without adequate support from the Canadian Militia during a season when the communication between Canada and this country was practically cut off. Did it not become a serious consideration whether Her Majesty's Government should not instruct the Governor to call the Canadian Parliament together and submit to it this issue—"Either before the termination of the present season make such arrangements as will afford our troops such support as we have a right to expect for any British force that ought to be left in Canada, or no British force will be imperilled by being left in the colony?" It was, he repeated, a serious consideration whether a communication ought not to be made to the Canadian Parliament; and in the event of its being unfavourably received, whether the British force in Canada should not be reduced to the small number of men that could support themselves in the fortifications of Quebec till next year. He was of opinion that in the present state of North America we were not justified in leaving British troops in Canada without adequate support. He quite agreed with his noble Friend (the Earl of Ellenborough) that it was perfectly idle to rely on the enthusiasm of undisciplined men, who, as against experienced troops, in times when the art of war had been brought to such perfection, might be said to be useless. He must express his obligations to his noble Friend who had brought this subject forward for having introduced it to the notice of their Lordships in so able a manner.

THE EARL OF POWIS said, that when this subject was brought before the Canadian Parliament again, circumstances might be so much changed that local party considerations might not interfere to prevent the proper arrangements from being made, and surely the British Government would not think of taking such a step as had been suggested without waiting to see what the next Parliament would do. As the Canadians had not been used to large armaments, it was not to be wondered at if the people, especially the lower classes, took some little time before they became reconciled to them. But there was another point removed from the action of the Colonial Legislature and entirely within the control of the noble Duke at the head of the Colonial Office. Instead of dotting our troops about in exposed situations, they ought to be concentrated in important positions, where by their presence they would give the colonists confidence, without being exposed to be cut off by overwhelming numbers.

VISCOUNT STRATFORD DE REDCLIFFE said, his impression was that subjects of this nature, brought forward in general terms at such a late period of the Session, did not tend to any very great advantage. Admitting, as he did, that the relations between the colonies and the mother country had undergone sensible changes, he saw little use, as long as nothing occurred bearing directly on the subject, in entering into a discussion of those relations, and in precipitating the period when the mother country would have to separate from her colonies. When that time came, the subject would doubtless be treated with all the wisdom which Parliament could bring to bear upon it; but until then he deprecated discussion in the abstract of such a vital change. With regard to Canada, it must have struck every noble Lord that the position in which our small army was placed, regard being had to the war in America, was one of great danger. The debate which had just taken place had in no way diminished that feeling as far as he was concerned. Bearing in mind the difficulties of the season which was fast approaching, and the near proximity to the end of the Session, the Government ought to take into serious consideration measures which would secure our interests and the honour of our troops. They ought to call on the Canadian Government without delay to commit themselves to the performance of that duty which England was entitled to expect them to perform.

THE EARL OF CARNARVON having expressed his readiness to insert the words "or Extracts,"

Motion *agreed to.*

House adjourned at half-past Seven
o'clock, to Monday next,
Four o'clock.

HOUSE OF COMMONS,

Friday, July 18, 1862.

MINUTES.]—NEW WRIT ISSUED.—For Kirkcaldy Burghs, *v.* Lieutenant Colonel Robert Ferguson, Steward of Hempholme.

PUBLIC BILLS.—1° Militia Ballots Suspension; Polling Places (New Shoreham, &c.); Court of Common Pleas (Officer for Acknowledgment of Deeds); Mutual Surrender of Criminals (Denmark).

2° Local Government Supplemental (No. 2.); Copyhold, &c. Commission.

3° Parochial Assessments; Charity Commissioners' Jurisdiction; County Surveyors (Ireland); Excise Duties; Recovery of Poor Rates, &c.

DRAINAGE (IRELAND) BILL.

[BILL NO. 145.] COMMITTEE.

Bill *considered* in Committee:—

(In the Committee.)

Clauses 15 to 63 inclusive *agreed to.*

Clauses 64 and 65 *negatived.*

Clause 66, as amended, *agreed to.*

Clause 67 (Power to Drainage Boards, in case Mill Power be improved, with Owner's Consent, to rate the Mill Owner towards the Expenses of the Works).

SIR HERVEY BRUCE moved to expunge the clause giving power to drainage boards in cases where mill power, with the owner's consent, shall be improved, to rate the millowner towards the expenses of the works.

Question put, "That the Clause stand part of the Bill."

The Committee *divided :* — Ayes 27; Noes 15: Majority 12.

Clause *agreed to.*

Remaining clauses *agreed to.*

Preamble.

Mr. BUTT moved, that the Chairman report progress, on the ground that certain new clauses and Amendments could be better considered in Committee than on the report.

Mr. SCULLY supported the Motion. He had been assured that the Lunatics Law Amendment Bill would occupy the Committee up to a quarter to four o'clock, instead of which the House had run through both that Bill and the Weights and Measures Bill. He had been obliged to be absent on private business for two or three hours; but he came down as soon as he could, and he found that the Drainage (Ireland) Bill had been got through as far as the Preamble. He had heard the other day a conversation between his hon. and gallant Friends (Colonel Dickson and Colonel French), in which the latter observed that he would undertake to pass the Drainage (Ireland) Bill in five minutes if he (Mr. Scully) would undertake to be absent. He had found it impossible to be present that morning, and his hon. and gallant Friend had been as good as his word. Certainly, Irish business was transacted after an extraordinary fashion. Irish Members never knew when an Irish Bill was coming on. They were expected to be in the House morning, noon, and night. They ought, indeed, to live and sleep in the House, where, however, no beds were provided for them. The hon. and gallant Member who was the author of this Bill (Colonel Dickson) had not been present at all that day. The Drainage (Ireland) Bill was the worst Irish measure of the Session. The subject was one of the very few that he thoroughly understood. [*A laugh.*] Yes! he did thoroughly understand now what he was speaking about. He was doing everything in his power to carry out drainage in Ireland, but the principle he had always adopted was to begin at the lowest level, and drain upwards. The hon. Member was proceeding, when—

It being Four of the clock,

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

Sir Hervey Bruce

UNITED STATES—THE CIVIL WAR.

QUESTION.

Mr. A. F. EGERTON: I wish, Sir, to ask the Under Secretary of State for Foreign Affairs, Whether he has received any confirmation of the report which appears in the evening papers with regard to the surrender of General M'Clellan with a large force?

Mr. LAYARD: Sir, in reply to the hon. Gentleman's Question I beg to state that no information confirming the report that appears in the late editions of the evening papers has been received at the Foreign Office.

IRELAND—COUNTY OF LOUTH.

QUESTION.

Sir GEORGE BOWYER said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been called to the state of the county Louth with reference to the fact that it is still under Proclamation; and whether Government will remove the Proclamation; if not, whether he will lay upon the table the correspondence between the Irish Government and the Lord Lieutenant of the county on the subject?

Sir ROBERT PEEL said, the attention of the Government had been called to the state of Louth, and he had received a letter from the Lord Lieutenant that morning, stating that at the next meeting of the Council the subject would be considered, with a view to the removal of the Proclamation. The reason why it had been delayed was in consequence of the state of outrage and crime that unhappily prevailed in various districts in Ireland, and it was thought better, under these circumstances, to postpone the measure for a short period.

Sir GEORGE BOWYER said, he would beg to ask, whether there would be any objection to the production of the correspondence.

Sir ROBERT PEEL replied that the only correspondence that there was upon the subject was the letter which he (Sir Robert Peel) had written calling the attention of the Lord Lieutenant to the subject, and the representations that had been received from the Magistrates.

ROMAN CATHOLIC PROCESSION AT MONTREAL.—QUESTION.

Mr. WHALLEY said, that with reference to an Order issued by the Major General Commanding at Montreal, dated 21st of June, 1862, commanding all soldiers to pay attention and respect to a Roman Catholic ceremony, called the Procession of the Host, he wished to ask the Secretary of State for War, Whether the Major General, in issuing such Order, acted in accordance with the views of Her Majesty's Government and within the limits of His authority?

Sir GEORGE LEWIS: In reply to the question of the hon. Gentleman, I can only say that the War Department has received no information upon the subject, and therefore I am unable to give him any answer.

Afterwards,

Mr. WHALLEY complained of the unsatisfactory answer which had been given to the Question which he had put with respect to this subject by the Secretary for War. The subject was one which created considerable excitement in Canada, and ought not to have been evaded, as he contended it had been, by the right hon. Gentleman.

General LINDSAY said, that the Order of which the hon. Gentleman complained was no new thing. The observance which it enforced had been the practice for twenty-five years. Whether it was desirable that it should be continued or not was a question for the consideration of the Government.

Sir GEORGE LEWIS said, that nothing was further from his intention than to be guilty of the slightest disrespect either to the hon. Gentleman behind him, or to the House. The answer which he had given him was, he thought, both direct and complete.

BANK OF BENGAL.—QUESTION.

Mr. NICOL said, he would beg to ask the Secretary of State for India, If it is his intention to sanction the Clause No. 28, in a Bill introduced into the Legislative Council of India on the 12th day of February, 1862, entitled "A Bill for regulating the Bank of Bengal," by which clause it was declared that "it shall be lawful for the Bank to buy Bills of Exchange for the purpose of remitting funds to meet Bills or Letters of Credit drawn by the Bank in favour of their constituents in the agency department, and to grant Letters of Credit payable out of India for the use of their constituents in the agency department?"

Sir CHARLES WOOD, in reply, said, that the subject was one of great importance; and as it was under the consideration of himself and Council, he could not, of course, answer the Question at present.

INDIAN TROOPS IN CHINA.—QUESTION.

General PEEL said, he rose to ask the Secretary of State for War, Out of what fund the Indian troops in China, who have not been voted by Parliament or provided for in the Estimates, are to be paid?

Sir GEORGE LEWIS replied, that the reason why the regiments now at Shanghai were not included in the Estimates was, that when the Estimates were prepared, the Government did not anticipate that the Indian regiments would be detained in China. They were, however, detained there in consequence of apprehended danger to the English merchants at Shanghai. In reply to the question as to the mode of defraying the expense, he said that he hoped that the Vote for the Land Forces would not be exceeded; but, if it should turn out that that Vote was exceeded, then the ordinary practice in such a case hitherto had been either to apply to the Treasury to sanction a transfer from any other Vote in respect to which there might be a saving, or to propose to the House a Vote to cover the excess. He believed that it was contemplated to make some alteration in the Appropriation Act this year, and he was not sure, therefore, whether it would be any longer competent for the War Department to make a transfer from one Vote to another; and, consequently, should there be an excess of expenditure, it would be necessary to propose a separate Vote to the House for the purpose of covering it.

THE NEW ORDERS IN CHANCERY.

OBSERVATIONS.

Mr. COX said, that the House had been counted out on several occasions when a Motion of his, on the subject of the new Orders in Chancery, was on the business paper, and that under the Act of Parliament the House would lose its jurisdiction in the matter unless it proceeded by Resolution within thirty-six days from the day when the Rules and Orders were laid on the table, he would therefore appeal to the noble Lord at the head of the Government to appoint Monday next as a Supply night, in order to give him an opportunity of bringing forward his Motion.

Viscount PALMERSTON said, that it was the intention of the Government to propose to have a morning sitting on Monday for a Committee of Supply. The Government also proposed to go on with the Committee of Supply in the evening, unless the same misfortune that had hitherto attended his hon. Friend should also attach to him on Monday evening. His hon. Friend might, consequently, have the opportunity of making his statement on Monday, and he should hope that Gentlemen, who had Motions preliminary to going into Committee of Supply, would have the kindness not to bring them forward on Monday morning, but reserve them to the evening sitting, in which case the House might make some progress with Supply.

PROCLAMATIONS IN IRELAND.

QUESTION.

Mr. SCULLY said, he wished to know, Why the Secretary for Ireland would not allow him to move for an unopposed Return on the subject of Proclamation in Ireland? He had given a very reasonable notice with regard to the Proclamation of different districts in Ireland.

Mr. SPEAKER informed the hon. Member that he was not in order in attempting to raise a discussion on a matter not standing for discussion at that moment.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

UNITED STATES—THE CIVIL WAR.

MR. LINDSAY'S MOTION.

OBSERVATIONS.

Mr. CLAY asked the indulgence of the House while he appealed to the hon. Member for Sunderland (Mr. Lindsay) not to bring forward that evening the Motion which stood in his name. It was true that a discussion such as the hon. Member wished to provoke might, if brought forward at the right time, be productive of very great good; but unless that time was very admirably chosen—and this did not appear to him to be the right time—it might be productive of very considerable mischief. The special grounds upon which he ventured to make this appeal to his hon. Friend were the currency of a rumour as to a success of the Confederates over General M'Clellan and his army, which, without having any strong confirmation, or perhaps any very solid grounds—

Mr. ARTHUR MILLS: I rise to order. I wish to ask whether the hon. Member is to be allowed to proceed with a statement.

Mr. SPEAKER: The hon. Member must confine his Question to the very narrowest limits.

Mr. CLAY would simply then say that whether this rumour were true or false—["Order!"]

Mr. SPEAKER: The hon. Member must not pursue the discussion. He must simply ask the Question.

Mr. CLAY must then, though very reluctantly, move the adjournment of the House, merely for the purpose of having an opportunity of making a few remarks. His special reason for departing from the usual course, and making this appeal to the hon. Member for Sunderland, was the currency of this rumour—["Order, order!"]—which, although the truth of it might very reasonably be doubted, was also, in the opinion of very many persons, likely to prove not far from the truth. The decision the House was likely to come to upon the Resolution which his hon. Friend proposed to move must be a great deal influenced by the truth or falsehood of that report. A very short time would put them in possession of accurate information, and the matter might then be ripe for discussion. He would not attempt to make any observations as to the object of his hon. Friend's Resolution; but he might be allowed to say this, that if his hon. Friend had any Southern proclivities, he certainly need not be anxious, as matters appeared to stand at present, to interfere; for his friends appeared to be working independence for themselves as fast as they possibly could, and their independence would be all the firmer if it were achieved by themselves.

Motion made, and Question proposed, "That this House do now adjourn."

Mr. J. C. EWART seconded the appeal just made. He believed the discussion of the question would be most injudicious and mischievous. He earnestly entreated his hon. Friend not to persevere with his Motion.

Mr. SCULLY quite agreed that it would be right not to persevere with the discussion of this question; but as the adjournment had been moved, he wished to ask the Secretary for Ireland why he opposed his Motion for a Return, of which he had given notice, with respect to the operation of the Peace Proclamation Act in Ireland?

SIR ROBERT PEEL said, that if the hon. and learned Member for Cork would put his Motion in the form which he had suggested, he would offer no opposition to it.

MR. LINDSAY said, that apart from any telegram which might have been received from America, the House had sufficient information to enable it to deal with the question as he had put it on the paper. Therefore, considering how deeply the people of this country were affected by the war in America, and seeing that the House would shortly adjourn for the recess, he did not think he should be performing his duty to his constituents by again postponing the Motion of which he had given notice.

THE ADMIRALTY AND CAPTAIN COLES.

EXPLANATION.

MR. MONSELL: I trust the House will allow me to call its attention to a matter personal to myself, which occurred on Monday last during the discussion on Fortifications. On that occasion I alluded to a number of distinguished military and naval officers who had protested against the scheme proposed by the Government, and said I believed the number would have beeen much greater but for a stringent rule of the service which prevented officers on full pay from expressing their opinion upon such subjects. I went on to state that I knew one case of a captain in the navy on full pay, who had been told that while on full pay he was to keep his mouth shut; and I added, that although, feeling the importance of the question of fortifications, he had requested to be placed on half-pay, his request had been refused. My noble and gallant Friend the Secretary to the Admiralty asked me to what officer I referred, and I replied it was Captain Coles. Thereupon my noble Friend said I had entirely misrepresented the facts of the case; and he went on to state, that when Captain Coles applied to be put on half-pay, the Admiralty told him that there would be no objection, but that while he remained on full pay it was not competent to him to write letters to the newspapers relative to the cupola shields which he was constructing for the Admiralty. I hold in my hand a letter from Captain Coles, in which he entirely corroborates the statement which I had made on his authority. He states that by a letter dated the 10th of May last he applied, with a view to be free to express his opinion, to be placed upon half-pay, and that up to this hour he has not received any reply to that letter. He is sure, he says, that every one will consider this as equivalent to a refusal, as he is retained on full pay, and, indeed, was told verbally in the way of conversation that it was not convenient to the Admiralty to put him on half-pay. He goes on to state, with reference to some letters which he had addressed to *The Times* bearing generally on the question of fortifications, that he had had an interview with Lord Clarence Paget, who had reproached him for having written those letters, and had called his attention to the Admiralty Order prohibiting officers on full pay from making any remarks upon any public question. Under these circumstances, I venture to submit that the statement I made on Monday last was literally true.

LORD CLARENCE PAGET: In answer to the remarks by my right hon. Friend, I think it fair to put the House in possession of the history of Captain Coles's communications with the Admiralty, with regard to his being placed on half-pay. My right hon. Friend stated, the other night, that Captain Coles had requested to be put on half-pay in order that he might be free to express his opinion on the question of fortifications. It was my duty, sitting here and hearing that statement, and having a full knowledge of all the communications which had passed between the Admiralty and Captain Coles, to give a distinct denial to the statement of my right hon. Friend. I admitted that Captain Coles had applied to be put on half-pay, and I shall now tell the House why he made the application. Perhaps it will simplify the matter if I read to the House a letter which was sent from the Admiralty to Captain Coles to-day in reply to a renewed application from him to be put on half-pay. The House will see the grounds upon which Captain Coles originally applied to be put on half-pay, as well as the reasons why his request never came to be carried out.

MR. LYGON: I rise to order. I submit that it is hardly right for a Minister to read a part of an incomplete correspondence.

Mr. SPEAKER: The noble Lord has risen to speak upon a matter of personal explanation, and he desires to give the best information he can to the House.

Lord CLARENCE PAGET: The letter from the Admiralty to Captain Coles is dated the 17th of July, 1862, and is as follows:—

"Sir,—Having received and laid before My Lords Commissioners of the Admiralty your letter of the 15th inst., with its enclosure, I am commanded by their Lordships to acquaint you that they have no objection to placing you on half-pay, in accordance with your request; but, to prevent any misconception, my Lords think it right to recapitulate the circumstances connected with your application. On the 3rd of May last you wrote to their Lordships asking for payment of your account for travelling and subsistence money. On the 8th of the same month you were informed that your account was allowed, but were acquainted that it has not been the practice for officers borne for full pay, and whose duties are not of a temporary nature, to claim subsistence money for each day in the month, but only for those days on which they were absent from their usual place of residence. On the 10th you rejoined, stating the grounds on which you had claimed the allowance of £1 per day, in addition to your full pay, and concluding thus:—'I have now the honour most respectfully to request, that should my services be no longer required by their Lordships, I may be placed on the half-pay list of Her Majesty's navy. I am induced to make this request, as I believe that it will enable me more fully to develop the advantages which I think may be derived from placing guns in revolving shields.' On the 15th of May you had an interview with Sir Frederick Grey and Lord Clarence Paget and were informed that your letter of the 10th of May applying to be put on half-pay, had been received, but the consideration of your request had been deferred until the purchase of your patent had been agreed upon, or the negotiation for it had been terminated. On the 16th of May your solicitor wrote to this Department, accepting the terms offered by My Lords for your patent; and their Lordships, considering that your services would be further required, did not think it necessary to take any further notice of your request to be placed on half-pay. On the 10th of June you applied for your allowances for the month of May, and these, after some correspondence, were sanctioned on the 21st of June. In a letter dated the 19th of the same month, with reference to this question of your allowances, you transmitted a copy of your letter of the 10th of May for the purpose of explaining your views, but without otherwise alluding to the subject of being placed on half-pay. On the 10th of June you were asked for the drawings of the Royal Sovereign, and on the 13th, in reply, you requested certain accommodation and facilities for making your drawings, and asked on what footing you were to be employed. On the 17th you were informed that certain arrangements had been made, and that My Lords had placed you on full pay, and had given you £1 a day in addition so long as your services were required by the Admiralty. In a letter, dated 20th of June, but not sent till the 24th, and received at the Admiralty on the 25th of June, you decline entering into any agreement personally with the Admiralty pending the negotiations then going on between the solicitors, but express your willingness to carry out their Lordships' wishes, receiving a sum per day equivalent to that named by them, with the express understanding that this in no way interferes with the proposed agreement. You did not otherwise allude to the question of half-pay. My Lords do not think it necesssary to enter into any discussion of the motives which have now led you to repeat your request, but they have acceded to it, and have directed you to be placed on half-pay from this day."

I only wish to add that the dealings of the Admiralty with Captain Coles have been characterized by the most perfect fairness and exceeding kindness. It is not usual for an officer to receive a considerable sum of money for inventions which have not been practically tried, but they have made an exception in the present case. The Admiralty have expressed their desire to meet Captain Coles's views in every possible way; but, unfortunately, Captain Coles has not met them with the same fairness. Knowing that officer as I have done for many years, I must say that I do not think he would or could have desired, when employed upon a most important business connected with the Admiralty, and when he had met with every possible consideration from the Admiralty, to run counter to them, and to enter into these angry negotiations and correspondences, if he had not been led on by very indiscreet friends. I cannot say that Captain Coles was distinctly or officially told by the Admiralty, in answer to his letter of May 10, that he would be put upon half-pay. Both Sir Frederick Grey and myself, in the personal interview we had with him, earnestly entreated him not to go on half-pay, because it would be very disadvantageous to him; but we also told him, that if after the negotiations then pending had been concluded he should still desire to be put on half-pay, no objection would be offered on the part of the Admiralty. I admit that, he being a personal friend of my own, I conjured him not to press that matter, because he would be injuring his own prospects. The Admiralty never desired for one moment that Captain Coles should not express his opinion on the question of fortifications. Nay, he has given his opinion upon that subject, for he has been examined before the Commissioners, and he has given it very freely. I hope he will continue to express himself with the same freedom on the question of fortifications; but I do maintain that the course he has pursued in reference to fortifications is an entirely different thing from an officer who is employed on special service by the Admiralty writing letters to the newspapers with regard to those particular inventions and that particular business upon which he is employed. I will only say, in conclusion, that I hope Captain Coles will listen to the advice of the Admiralty rather than to that of injudicious friends.

Mr. BERNAL OSBORNE: Were I not aware that the Secretary to the Admiralty holds the high position of a Rear Admiral in Her Majesty's Navy, I should have thought I had for the last few minutes been listening to the speech of the Attorney General on a legal point; because the speech which the noble and gallant Lord has just made, and in which he so emphatically proclaimed his great personal friendship for Captain Coles, while he did all he could to decry that officer in the face of the House, was entirely beside the question. I repeat that the noble Lord altogether ran away from the question which was, the other night, put by my right hon. Friend the Member for Limerick (Mr. Monsell), and has given us no adequate information as to whether the statement of my right hon. Friend was or was not correct. That statement, when it was made, was flatly contradicted by the noble Lord, whom I thought it my duty as flatly to contradict on the subject. I have not, I must add, heard anything from the noble Lord to-night which shows that he is distinguished for that accuracy of statement for which members of his profession are generally remarkable. He told us the other night that Captain Coles applied to be put on half-pay, and that the Admiralty told him they had no objection. The Admiralty, however, told Captain Coles no such thing. To his first letter the Admiralty replied, but to his second no answer was returned; and when the noble Lord takes upon himself to contradict an assertion made on authority, he ought, I think, to put himself in the position of knowing the exact facts of the case. The noble Lord may think fit to rank me among Captain Coles's injudicious friends. For such a charge I am perfectly prepared. I will only say, in reply to it, that I cannot congratulate either the Admiralty or the Government in having a Secretary who is so injudicious as to make statements in the House of Commons which are not borne out by facts.

Viscount PALMERSTON: Whether the hon. Gentleman thinks fit to congratulate the Government or not on having secured the services of my noble Friend the Secretary for the Admiralty, I can assure him that we congratulate ourselves upon that circumstance. As to the statement which my noble Friend has just made, I need only say that it is fresh in the memory of those hon. Members who heard it, and that I am sure they will be ready to admit that it contains the most distinct proofs that the grounds on which Captain Coles applied to be placed on half-pay were not, as stated by the right hon. Gentleman the Member for Limerick, that he might have an opportunity of expressing an opinion on a particular question adverse to the Government under which he was acting.

Mr. LYGON hoped, that when the answer of Captain Coles to the communication of the Admiralty was received, some publicity would be given to it. He thought it very far from advantageous to the public service that letters bearing upon the conduct of an officer should be read to the House before he had an opportunity of replying to the charges which they contained.

BUSINESS OF THE HOUSE.

OBSERVATIONS.

Lord ROBERT CECIL wished to call the attention of the House to the mode of proceeding which had been adopted in the conduct of the business that evening. It had last year been provided that Committee of Supply should on Fridays stand first among the Orders on the Notice Paper, and that certain subjects of which notice had been given should, upon the Motion for going into such Committee, be discussed in their order. The process, however, of interpolating Motions for Adjournment before that Motion was made, was completely to upset the regular arrangement for the conduct of business, thus giving those in whose names Motions stood last on the list an opportunity of bringing them forward to the prejudice of those who ought to have the precedence. That was a state of things, which, he thought, required a remedy.

Colonel FRENCH thought a stop should be put to the practice of allowing Motions to take precedence of Orders on Fridays.

Motion, by leave, *withdrawn.*

UNITED STATES—THE CIVIL WAR.

RESOLUTION.

MR. LINDSAY (who had given notice of his intention to move, as an Amendment to the Motion "That Mr. Speaker do now leave the Chair,"—

"That, in the opinion of this House, the States which have seceded from the Union of the Republic of the United States, have so long maintained themselves under a separate and established Government, and have given such proof of their determination and ability to support their Independence, that the propriety of offering mediation, with the view of terminating hostilities between the contending parties, is worthy of the serious and immediate attention of Her Majesty's Government,")

said, that before the Speaker left the chair, he wished to draw the attention of the House to a matter of the gravest interest to the people of this country—he meant the unhappy war raging in the United States of America. His hon. Friends who had urged him to postpone his Motion were, no doubt, of opinion that by raising the question at this time they might exasperate the Northern States. But if he might judge of the feelings of those States by the language of the public press, he thought it was impossible for us to stand worse with that people. He hoped, however, and believed, that the press of the Northern States did not represent the true feeling of the people, and he was not disposed to think that a frank expression of opinion on the part of the House of Commons with regard to the lamentable state of affairs in America was likely to produce an injurious effect; but in bringing the matter before the House, he would endeavour as far as possible to avoid all subjects likely to cause irritation. For instance, he would not, in the course of the observations he was about to make, whatever his own opinions might be, say one word about sinking the stone fleet at Charleston; nor would he venture to offer an opinion as to the recent proclamation of General Butler at New Orleans: his observations would be confined strictly to the terms of the Motion he had to submit to the consideration of the House. Though few hon. Members would be prepared to deny that the Confederate States had shown determination and ability to support their independence, there might be a difference as to the propriety of our offering mediation. Under that impression, he desired hon. Members to follow him while he considered—first, what he believed to be the cause of the war; secondly, how it affected us; and lastly, why he conceived that the end of the war must be separation, and why he was of opinion that the instincts of humanity and the interests of this country demanded that the war should cease. The United States comprised thirty-four different sovereign and independent States, each having a Legislature and Governor of its own. These States were joined in a Union, or rather compact, as a matter of convenience—for instance, for the convenience of conducting correspondence with Foreign Powers, for carrying on public services by sea and land, and for raising the necessary taxation to cover the expenses of the Federal Government and its army and navy. The area of the country was 1,880,000 square miles, excluding the "Territories," which included an area of 900,000 square miles, with a population of only 300,000. The population of all the States was in round numbers 32,000,000. The Federal, as now distinguished from the Confederate States, had an area of 1,011,000 square miles, and a population of 20,000,000; and the thirteen States which had seceded had an area of 870,000 square miles, with a population of 11,600,000, of which 3,900,000 were slaves. The trade of the once United States, as measured by its exports, was in 1860 350,000,000 dols. Many people in this country were under the impression that the disunion was the impulse of the moment. That was not so—the causes of it had been working for more than a quarter of a century. The people of the Southern States had been dissatisfied with the use, or rather the abuse of power exercised by the Union, and had protested against what they conceived to be the oppressive taxation of the North. In December, 1860, South Carolina gave notice that she desired to withdraw from the compact. He called the Union a compact, because it was a compact entered into purely for the convenience of all the States. He would leave others to argue whether South Carolina, or any minority of the States, had a right to withdraw from a compact made for the convenience of all the States; but as he read the constitution, there appeared to him nothing in it to prevent any State withdrawing from that compact when it found itself aggrieved; and, certainly, he did not find that the President of the Federal Government had any power to coerce the States which seceded. The resolution of South Carolina to secede was unanimously arrived at by the vote of the Legislature, which met for the special purpose of considering whether it was to the interest of their State to remain by the compact. It was resolved, that it was for their interest that they should remain by it no longer, and three of their most distinguished citizens were appointed to wait on President Buchanan and his Government, to represent their grievances, state the reasons why they could no longer remain in the Union, and to arrange, if possible, the terms of their separation. These gentlemen the President refused even to receive. They then drew up a memorial representing their grievances, and the hardship of their position. It was addressed in respectful, but determined language, and forwarded to the Secretary of State. That memorial was returned to them unanswered. They consequently reported to the Legislature of their State that the President had refused to see them, and that their memorial had been returned unanswered. But South Carolina, anxious to preserve peace, and above all, to avoid bloodshed, sent, in February, 1861, its Attorney General to the Government at Washington. He was treated in the same way—he was not received, and his letter was returned unanswered. Other States, seeing how the Federal Government treated what they conceived to be the just complaints and representations of South Carolina, resolved to follow the example of that State, and withdraw from the Union. The States of Mississippi, Georgia, Alabama, Florida, Louisiana, and Texas withdrew from the compact, and towards the end of March, 1861, met in convention and formed a provisional Government, which was to last for one year, and of which they elected Mr. Jefferson Davis to be President. These seven Confederate States, equally anxious to avoid a rupture, and especially to avert bloodshed, deputed three representatives to proceed to Washington and state their grievances to the Government, in the hope of arranging, if possible, terms of settlement. The object of the mission was, in the words of President Davis, to settle all questions of disagreement between the two Governments, on the principles of "justice, right, equity and good faith." The Commissioners arrived at Washington on the 5th March, immediately after the induction of President Lincoln to office, and on the 12th they communicated their mission to Mr. Seward, the Secretary of State. They did not receive an answer till the 8th April, and then it was a peremptory refusal even to receive them to hear what they had to say. President Davis published on the 29th of April a history of that mission, and all the incidents connected with it. No one could read that document without arriving at the conclusion that the three Commissioners were shamefully treated, for at the earnest request of Mr. Seward, and with the view "of promoting the peaceful settlement of all difficulties," the Commissioners were induced to forbear pressing for an answer to their communication. They were further assured that Fort Sumter, which commanded the entrance to Charleston harbour, and therefore threatened the city, would be evacuated; that nothing would be done to the prejudice of the Confederate States; and that a demand for an immediate answer would be productive of evil. But, while these assurances were given in the most solemn manner, the Northern States were secretly preparing a great naval and military expedition, which had for its object the reinforcement of Fort Sumter, and which actually sailed while the Commissioners were kept waiting at Washington in the hope and under the promise of "a peaceable settlement of all difficulties." As soon as the news of this expedition reached the Confederate States — and that was only three days before it arrived off Charleston—the people rose to a man; and it was not surprising that they did so. When they found that the answer to their appeals for justice, their remonstrance against oppressive taxation, and their prayer to be relieved from it—the prayer of 5,500,000 people (for that was the population of the States which had at that time seceded)—was to be an answer from the cannon's mouth, there was one shout of execration throughout the Southern States? It was then that the people of Charleston were obliged in self-defence to lay hold of Fort Sumter. If it had been reinforced, the harbour of Charleston would have been at the command of the Northern States, and the city at their mercy. Immediately afterwards President Lincoln issued his first proclamation for 75,000 men, to subdue what he called the rebellion of the South. Driven to desperation by these unconstitutional and extraordinary measures, six other States resolved to follow the example of the seven seceding States and withdraw from the compact. North Carolina, Arkansas, Tennessee, Missouri, Kentucky, and Virginia followed the other States in rapid succession; and thus this lamentable war commenced. Though there had been an outcry on the part of a small section of the people of the North against slavery in the South, the suppression of slavery had very little, if anything, to do with the civil war. If it had, the North would have received more sympathy from the people of England. But the word "slavery" during the last Presidential election was used by a large majority of the people of the North as a mere political cry, and for party purposes. It had no reality. In fact, President Lincoln, in his inaugural Address on the 4th of March, 1861, said—

> "I have no intention to interfere, directly or indirectly, with the question of slavery where it exists. I do not think I have a right to do so legally, and I am by no means inclined to do it."

Such was the policy of President Lincoln, and the majority of his Cabinet. Moreover, he acted upon that policy; for when General Fremont issued a proclamation freeing the slaves in Missouri, he was immediately recalled from his command. Again, when General Hunter issued a proclamation giving freedom to all the slave population of Beaufort and the three neighbouring districts under his control, his proclamation was disavowed by the Government at Washington. So also when Mr. Cameron the Secretary for War, in his report to the President, stated that one of the objects of the war was the suppression of slavery in the South, Mr. Lincoln ordered that clause to be struck out, and the report appeared without it. The Government at Washington would not admit that the suppression of slavery in the South was even one of the objects of this unhappy war. So much for the avowed policy of the Executive; but what said the people? The opinion of the *New York Herald* might not be worthy of great consideration, but the proprietor of that journal printed it to sell, and must therefore write so as to suit the taste of his readers. When he was himself at New York, some fifteen months ago, the average circulation of that newspaper was about 120,000 daily. Reviewing very recently the sermons preached on the day of fasting, humiliation, and prayer observed in the Northern States, the *New York Herald* distinctly stated that negro slavery

was part of the Constitution, and that the attempt to abolish it by the Congress or the Executive would be a violation of the Federal compact, and would, moreover, be an imputation on the character of Washington and the other founders of the Republic, who agreed by a solemn league and covenant that the rights of the Southern slaveholders should be guaranteed for ever. The writer, representing the opinions of a vast majority of his readers, disowned entirely that slavery had anything to do with this war, and combated the argument that slavery was a sin. In the North there was not, perhaps, one person out of ten who desired to see it abolished. But however repugnant to our own feelings the institution of slavery, we must look at the question as practical and not altogether as benevolent men. How was this ancient institution to be dealt with in a summary manner? The slaves of the South constituted a property of the value of five hundred millions sterling; and where was that money to come from, and what was to become of the slaves if they were all emancipated at once? With these remarks, he would now state what appeared to him to be the real cause of the war. Each of the thirty-four States sent two Members to the Senate—the smallest States sending two as well as the largest. On the other hand, the measure for the representatives returned for each State to the lower House was entirely regulated by population. But the ratio of population had entirely changed. In 1790, shortly after the Constitution was framed, there was one Member in the House of Representatives to every 33,000 persons; while in 1850 there was one to every 93,420. For many years past the tide of emigration had flown to the Northern and Western States; and as numbers alone formed the basis of representation, the wealth, the power, and the intelligence of the Southern States had been rapidly losing their influence, and, in fact, their independence in the lower House. For instance, in 1800 Virginia had twenty-three representatives, and Indiana only one; but in 1850 Virginia had thirteen representatives, and Indiana eleven. Again, in 1800 North Carolina had two representatives and Ohio had only one; but in 1850, while North Carolina had eight, Ohio had twenty-one. So that in 1850, while the North and West had very materially increased the number of their representatives, the South had materially diminished. It became a serious question with the people of the South. They felt that they were saddled with great taxation, while practically they had no voice in the imposition of the taxes, because the majorities of the West and of the North swamped on almost every occasion the representatives from the South. They saw the effect of this in the rapid increase of taxation, or rather of protective duties. He need not tell the House that the interests of the South and of the North were diametrically opposed. The South was a purely agricultural country, and its interest was perfect free trade—to sell its cotton in the dearest market and buy the manufactures it required in the cheapest. The interest, or the supposed interest, of the North was protection. Mark what had been the course of events. It was just as the numbers of the North began to gain the ascendancy in Congress that the first protective tariff was introduced. That was in 1824. In 1828 that tariff was made more stringent. So far back as 1833 South Carolina protested against the injustice of those oppressive tariffs, and gave notice that she would withdraw from the Union, because, she said, the taxation was such that she could not bear it. An arrangement was made there and then with South Carolina, and a pledge was given that the taxation should be reduced; and on those conditions South Carolina remained in the Union. But that pledge was not kept. The protective tariff was still further increased in 1846. They had all heard of the recent Morrill tariff. The duties under it had been raised to 100, and in some cases to nearly 200 per cent. Now, what was the effect of that on the people of the South? As he had said, the exports in 1860 from the United States amounted to 350,000,000 dols. As the House was aware, all exports must be paid for by imports. Of these exports 250,000,000 dols. were from the South, 200,000,000 dols. being the value of the cotton exported, and the remainder being tobacco and other products. The exports from the North amounted to only 100,000,000 dols., so that the South exported two and a half times more than the North either directly or indirectly. If, then, it were true—and it was true—that exports were paid for by imports, and if the imports were heavily taxed, the people of the South were bearing, either directly or indirectly, a most undue proportion of the taxation levied by the Federal Government. The people of the South complained of this, and they said, with great force—"This taxation is not levied for the purposes laid down by the Constitution, but for the purpose of protecting the ironmasters of Pennsylvania and the manufacturers of New England; and it is telling upon us in a two-fold degree, because we are called upon to bear an undue proportion of this taxation; we are also, on the other hand, obliged to pay increased prices for the articles we buy from the North, and which we could buy cheaper and better in Europe." So that practically the real cause of this disruption was taxation without representation; taxation levied, not for the necessities of the United States or for the purposes of the Union, but for the benefit of particular States who had large majorities in the Congress. But how did this unhappy war affect us? The great bulk of the cotton grown in the South was exported to supply the manufacturers in Europe, and we were the greatest customers. He need hardly call the attention of the House to what our manufacturing districts were suffering by the stoppage of the supplies of cotton from the Southern States of America. By the last accounts the distress had increased to a degree almost unparalleled. At Preston the poor rates amounted to no less than 18*s*. in the pound. At Blackburn there were somewhere about 15,000 persons receiving relief; at Preston upwards of 12,000, and at that place there were about 17,000 claimants upon the Relief Fund. The English people were patient, and bore their trials quietly; but their patience and endurance must not be tried too far. He received two days ago a letter from a labouring man, who told a very simple tale. Writing for himself and various other workmen, he said, respecting the recognition of the Southern States—

> "I can assure you in this part of the country (Ashton-under-Lyne) we are very anxious to see it. We think it high time to give the Southern States the recognition they so richly deserve. It would break a heart of stone to see the privations of the people here. We are willing to work, but what can we do? We can get no work, so we are obliged to go to the parish to get relief, which we are ashamed to ask for. What we are to do this next winter, if we can get no cotton, is dreadful to think of."

He believed that the distress in the manufacturing districts was far greater than hon. Members generally supposed from the accounts in the newspapers. The people began to inquire—"What is the meaning of all this suffering? It is because the people in America are fighting against each other." And many of them had already arrived at the conclusion that all this fighting must be in vain; that there was no power in the North to bring back the South into the Union, and that the contest could only result in the permanent separation of the North and the South, and they looked to this House to express an opinion and see if they could not by mediation and representation with the contending parties induce them, if they would not think of the injury they were doing themselves, at least to reflect on the serious injury they were doing this country. What was to be the end of this war? Was there any Member in the House who seriously thought that the South would ever be brought back into the Union? He from the first held and expressed the opinion that it was altogether impossible. When he saw that thirteen States with a population of 11,500,000 had resolved to govern themselves, he came to the conclusion that the Union could no longer be maintained. Let the House bear with him for a moment while he directed their attention to the Resolution passed in the Confederate Congress in March last. After stating their grievances, they went on to declare that it was the unalterable determination of the Confederate States to bear all the calamities of the most protracted war rather than they would go back into a Union with those who had invaded their soil and butchered their people. Even if the armies of the North overcame the armies of the South, there was a passive resistance still to be overcome which no army could subdue. This was shown in the case of the Mayor of New Orleans, who said to the Federals, "We are at your mercy; deal with us as you please, but your flag we will not honour, your laws we cannot respect, your taxes we will not pay." Such was the unanimous feeling of the whole of the Southern States. We had been told throughout the whole of the war, "Only let the Union flag be once hoisted in any part of the South, and you will see that the Southern people will rally round it and come back into the Union." Well, that flag had been flying at New Orleans for the last six months, and he wanted to know how many had come back to the Union? The hoisting of the flag was to open up a trade there and at Beaufort; but though the people of the South were suffering from the want of the necessaries of life, yet they would have no dealings with the Northern people. The re-establishment of the Union was indeed hopeless. That being so—if we had come to that conclusion—it behoved England, in concert, he hoped, with the great Powers of Europe, to offer her mediation, and to ask those States, to consider the great distress among the people of this country caused entirely by this unhappy civil war which is now raging. He held from the first but one opinion on this war; and if the House would allow him, he would read a few remarks in a letter which he addressed more than twelve months since to a citizen of the United States, which was published at the time in the Northern States, and in reference to which he was sorry to say he received some very angry letters. [The hon. Member then read extracts from the letter in question, in which he stated that the interests of the North and the South were so diametrically opposed to each other, that, in his opinion, the Union could never be re-established.] That was the opinion he held then, and he begged his Friend, who was a leading Member of Congress, to use his influence to prevent the fearful bloodshed which he foresaw must ensue from any attempt to prevent the separation. Independently altogether of his anxious desire to see an end put to this fearful war and to the distress which our people were suffering, he desired to see the Southern States separated from the North because he believed it was for the interest of this country, both politically and commercially, that that separation should take place. We knew that the South would be prepared to adopt a free trade policy; that they would be prepared to enter into relations with this country, and to exchange directly their cotton and the other products of the South for our manufactures. Therefore, commercially, it was for our interest. Politically it would be well for us that a vast power like the United States should be divided. We had been constantly receiving threats of war from America; and therefore, independently of the reasons he had named, he he must frankly say he was anxious for the separation, because he believed it would be for the political interests of the people of this country. But was it really the case that the offer of mediation would be scouted by the North? What was the state of things in the Northern States? Why, men of position, intelligence, and property were hardly allowed to express an opinion. There was a sort of mob law which reigned supreme. In proof of how earnestly the mediation of England was desired by the better class of American citizens, he would read part of a letter which he had received from New York only to-day, and which was dated July 4. The writer said—

> "Will England hesitate any longer to offer mediation? Why, if she had in the first month of the war forcibly interfered, no greater ill-feeling could have been shown towards her than has been shown under her magnanimous forbearance. Nor need a war be feared if you recognise the South. . . . . Gold is at 10 per cent premium, silver disappearing, 'shin plasters,' or tradesmen's debt tickets, becoming a currency, millions of irredeemable paper constantly issuing by Government, and millions more to come if war continues. . . . What is all this against the stupendous power of England? No, indeed, there can be no war short of England declaring it. . . . Is she afraid for her Northern supplies of bread stuffs? Let her consider that her demand for them is the lifeblood of our agricultural States. They must sell to her. The probable loss of her custom alone would secure her from any danger on our part. We await her action in sad dismay."

Such were the sentiments of many of the Northern people, and he believed the Government of Washington, seeing the hopeless fix that they have got into, would be glad to have some excuse for discontinuing the war. He had received another letter, from Brunswick, in the State of Maine, dated also the 4th of this month, in which the writer, a man of strong Union feeling, said he saw now the war was hopeless, and he trusted the Powers of Europe would offer mediation. That gentleman wrote to him not knowing that he had any intention of bringing the subject before the House. And now, he would ask, would Foreign Powers be prepared to go with us in offering this mediation? He thought there could not be a doubt that the Emperor of the French, whose people were known to be suffering even more severely than ours from the stoppage of the cotton supply, would only be too happy in joining England in offering mediation. He simply asked that Government should offer, in concert with other Powers, their mediation. He knew that the Southern States would be ready to receive it on the basis of separation; and if the North declined, then he concluded that the recognition of the Southern States on the part of this country would be perfectly justifiable, if our Government thought that the Southern people, as a nation, were fit to be received, as they undoubtedly were, into the comity of nations. He believed that the Emperor of the French was prepared to join in offering mediation on the basis of separation. We knew, or at least it was generally believed, that the Emperor was very reluctant to acknowledge the so-called blockade of the Southern ports, and he had reason to believe that the Emperor's Government had made various remonstrances to Her Majesty's Government on the subject. Seeing that a large portion of the people of the Northern States must desire peace; seeing the number of our own people that are suffering from this fratricidal war, he did trust that Her Majesty's Government would, either alone or in concert with some of the great Powers of Europe, use their best endeavours, and that immediately, to put an end to the terrible struggle now raging in America. It seemed to him to be strange and remarkable that the Government should have taken no steps with a view to put an end to that war. It was clear the South could not be conquered. It was still more clear that the South could never be brought back to the Union. Considering these facts, and having regard to the abilities displayed by their statesmen and generals, and the manner in which they had defended themselves under circumstances most trying against the overwhelming numbers of the North, he thought, in submitting his Resolution to the House, they would agree with him that the time had arrived when the Southern States should be received into the family of nations.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the States which have seceded from the Union of the Republic of the United States have so long maintained themselves under a separate and established Government, and have given such proof of their determination and ability to support their Independence, that the propriety of offering mediation, with the view of terminating hostilities between the contending parties, is worthy of the serious and immediate attention of Her Majesty's Government,"
—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. TAYLOR said, he was not permitted by the rules of the House to move another Amendment upon the Question that the Speaker do leave the chair, but he hoped the House would allow him to give the reasons why, in his opinion, the Amendment of the hon. Gentleman the Member for Sunderland should be negatived. The hon. Gentleman had kept his Amendment dangling before the House for some time, and there seemed some probability that the Session would close without its being formally moved. Why he had finally determined to bring it forward he could not say; and he would venture to say that he had now selected a most inauspicious moment for doing so, and would have done much better if he had acceded to the request pressed upon him by several of his own friends, and given his proposition a still further postponement. There was a saying, not very reverential, that Providence fought on the side of the strongest battalions, and 20,000,000 of the North were not likely to be put down by 5,000,000 or 6,000,000 of the South, encumbered by 3,000,000 or 4,000,000 slaves. So far, in his opinion, from our intervention in the great struggle between the North and the South resulting in any advantage to our own people, he was convinced it would result in nothing more than increasing their expenses and burdens. They had recently been discussing economical doctrines, and the hon. Member for Sunderland was one of their stanchest supporters. But if the hon. Member had voted for every Vote for army, navy, and fortifications for Spithead, Portsdown, and Plymouth, and then, like Oliver Twist, had asked for more, he would have done a far more economical thing than ventilating the subject which he had brought before the House to-night. He regretted that the hon. Gentleman had not accepted the advice to withdraw a Motion which was without any possible advantage, and without any possible object except adding to the irritation and bitterness felt with regard to our position upon this question. The hon. Gentleman said that from reading the papers he was inclined to think those feelings could not be worse. But he differed from him; and although he admitted that exaggerated and mistaken opinions prevailed in the North, there was a great deal of ground for their bitterness and irritation. ["No."] He thought that much of the irritation of the North had been caused by the position which we had taken up between the two combatants. America had a right to expect that, with our anti-slavery opinions, we should have looked with calmer eyes upon the struggle between the North and South. A certain portion, and a not uninfluential portion, of the English press had dealt anything but fairly with the Northern States. No sooner had the South proclaimed secession than these papers denounced the North for entering into war. All the indignation and hostility with regard to America when the Government at Washington was influenced by Southern counsels were transferred to the Northern Government, when the Southern power no longer predominated. He hardly knew whether upon the merits or demerits of the Northern Government this portion of the press was most bitter. The censure was diverse and inconsistent. First, it was said to be ridiculous for a republic to attempt to go to war, and that it could not have that individuality of power necessary to enable it to strike a blow with effect; but when the Northern States showed that they would put down faction, and even give up individual liberty and the liberty of the press, they were called tyrannical and dictatorial. One day they were told that they could not carry on the war because they could not raise the money, and the next they were told that they were extravagant and thriftless in their expenditure. They were denounced because they did not pass tax bills to raise revenue; and when the tax bills were passed and the tariff increased, they were blamed for their bad policy. They were denounced as hypocritical for professing to fight for the slaves; and yet as soon as they had shown distinctly the direction of their wishes by prohibiting slavery in the central State of Columbia, they were told that they were not dealing justly with the State rights of the South. The Amendment they were now discussing had been once or twice changed, and each time it was more diluted than before; but, no doubt, the hon. Gentleman meant, by mediation, recognition of the South and intervention in the North; and that meant nothing but war with the United States. ["No, no!"] Intervention was only a longer word for war. Never was so tremendous an issue so easily, so lightly, and with so slight a recognition of its importance, raised, as had been this issue by the hon. Member. War without bloodshed and suffering was impossible; but why must we run into it? Did experience teach us no lessons? There was the war with Russia, and who would say that game was worth the light it cost? There was the intervention in Mexico, the only good step in which was when we stepped out of it. There was immediate danger of war with China. Yet all these wars would be petty and insignificant if compared with a war between us and the United States of America. No war in the century would be a parallel for such a terrible conflict. It would be a fratricidal war, almost as truly as that which was being fought between the South and North—a war which would strike terror into all the friends of progress and liberty, and be rejoiced at by all who were their foes. At the beginning of the last century there was an intervention in the interest of "order." This would be like it, only it would be in the interest of rebellion. It was said, then, that they were to surround the scorpion of revolution with a circle of fire, that it might sting itself to death. The metaphor was bad. It was like battening down a volcano, which burst forth with more resistless power, and overran the greater part of Europe. We were compelled to fight almost for existence. It saddled us with the interest of hundreds of millions of debt, and it left a legacy of antagonism and hatred which fifty years had not been sufficient to expiate. He denied that the working-classes of this country entertained the opinions which the hon. Gentleman imputed to them. At a great meeting at Blackburn the other day, a Resolution similar to that now proposed by the hon. Member for Sunderland was submitted to them; it was negatived, and a resolution in the opposite sense was carried by the working men almost unanimously. He thought the attitude of the working classes in Lancashire one of the finest character that the history of this country had ever exhibited to our admiration. Suffering from something beyond their own action and control, and seeing their little savings gradually decreasing, with no hope for the future except that which was created by the confidence that their more favoured countrymen would stand between them and absolute want, they still declined to accept the intimation that they might remedy their distress by interference in the American quarrel. It was a magnificent spectacle of patience and intelligence, when these people were seen ready to bear their sufferings, because they felt, even if a supply of cotton should be the result of intervention, that that intervention would involve a sin and produce a stain on the anti-slavery flag of England. There might occasionally be advantages in intervention —when, for instance, by some unfortunate misunderstanding, two nations had got into a quarrel. Then there might occur an opportunity for some judicious friend from without to put a constraint and force on them to compel them to do that which was for their own good. But the present strife in America was no such unexpected event, and it was one of the greatest reflections on all who had a deep interest in cotton—both on the men of Manchester and on the Government—that knowing that for such an essential article the English manufacturers were dependent on only one country, and that a country where slave labour prevailed, they did not long before take steps to enlarge the area of supply. For the present conflict in America the South had been preparing for many years past, and the thinkers of the North had been expecting it. This was no casual strife. It was the Nemesis of that system of slavery which condemned to chattelism four millions of human beings, because they were "guilty of a skin not coloured like our own," and which, taken in connection with the civilization prevailing without its pale, might be described as the wickedest and most infernal system the world had ever seen. This war might have occurred later, or it might have come on ten years sooner, but it was in itself inevitable. The history of the United States for many years past had exhibited one long attempt to postpone and put off this inevitable struggle. It was said that the Northern Americans cared nothing about slavery, and that the present war did not originate out of any feeling on that subject. That was true; but the issue depending on it was not the less "slavery" or "no slavery." The Northern States had not virtue enough to care for the slavery of the blacks, and only awoke to a sense of its infamy when they found that their freedom and independence were closely bound up with their own immediate interests. The whole legislation of the United States for many years past showed attempts to postpone this strife by concessions. At first the freedom of the citizens of the North was degraded by giving to the Southern States their three-fifth black vote, and at last was passed that measure, the most infamous that had ever degraded the statute-book of a civilized state—the Fugitive Slave Bill. Let not Englishmen suppose that that was only a small sacrifice for the Northerners to make; let them only think what the citizens of the Old Bay State must feel when they saw its boundaries invaded by hellhounds from the South. There was a point, however, beyond which the Northerners would not go in the way of concession. They would not allow the action of slavery to be extended over all the States of America, and into the new territories. The South demanded this, and the answer was the election of old Abraham Lincoln, rugged, simple, and indomitable, whose name would live after that of many a smooth and polished statesman was forgotten. The South was certainly not to be blamed for drawing the sword, except so far as the act was connected with the maintenance of slavery and its abominations. The South were fighting like men worthy of a better cause. Interference on our part would be simply useless. If it even succeeded in stopping present hostilities, it would only create an armed truce, which would be no longer maintained when the South should feel itself strong enough to strike again, or the North should feel itself strong enough to overwhelm the South. If we did interfere, our intervention would not be in the interests of humanity, unless we could help the North and South to solve the issue raised between them. What an extraordinary instance of inconsistency to see a nation that expended £20,000,000 in order to emancipate the slaves in its own colonies, now discussing in Parliament a proposition for the establishment of the independence of new states whose independence was exclusively based upon the recognition of slavery. The opinion of John Stuart Mill was against any such interference, believing that, if attempted, the result would be a war between the Southern States and this country; and that we should have the North, if not in open hostility to us, at least firmly determined to refuse us their active support. He would venture to ask the House to negative, indignantly and almost unanimously, the proposition of the hon. Gentleman, which would be, if adopted, an insult to America.

Lord ADOLPHUS VANE TEMPEST thought that the tone taken by the hon. Gentleman who had just sat down was hardly justified by the speech of the hon. Member for Sunderland (Mr. Lindsay). He should not have ventured to put a Motion on the paper himself, had he not believed that the Motions of which notice had been given by the hon. Members for Sunderland and Clitheroe had been withdrawn, and that the House was about to separate without expressing an opinion on this momentous subject, which was the chief subject of conversation in every circle out of doors from the highest to the lowest; and he had thought that it was not for the dignity of the House, whose highest boast was to be the reflex of public opinion, that it should remain silent as to the course which the Government ought to take. Out of doors the question was discussed with varying sympathies for one side or the other; but there was almost an unanimous agreement that the time had come when this awful struggle, if possible, should be put an end to. The hon. Member for Leicester (Mr. Taylor) had attempted to represent this question as one of continued slavery or abolition. He claimed to have as deep a feeling against slavery as the hon. Member, but it was his firm conviction that the course advocated by the hon. Member for Sunderland would go farther towards the ultimate abolition of slavery than the continuance of the war. It was impossible that the Union could be re-established; but if its re-establishment depended on the continuance or the abolition of slavery, is there a doubt that the Northern Government would give any guarantee for its continuance? In his speech at Manchester the Chancellor of the Exchequer truly stated that the Northern Government had offered to the Southern Confederation every possible security which they could ask—they offered the Fugitive Slave Law and every other concession which could be required; but, as he knew, the Southern Government returned for their answer, "If you sent us a blank piece of paper, and told us to fill it up with our own conditions, we would decline to go back into your Union." The meeting, too, which had recently taken place at New York ought to teach the hon. Member a lesson. It was attended by the leaders of the great Democratic party, who were carrying on the war, and without whom it could not be carried on, and one of the resolutions they passed was, that the two great causes militating against the Union were Secession and Abolitionism. The meeting pledged itself equally against secession and abolition. How, then, could this be described as a question of the abolition of slavery? He could hardly have thought that any hon. Member would have thrown such a colouring over the question as that which had been given to it by the hon. Member for Leicester; but, unless it were stripped of all that prejudice which was created by representing the cause of the North as the cause of the negro, it was impossible to discuss the question with any advantage. He was firmly convinced that the maintenance of the Union would go further to perpetuate slavery than anything else; and he conscientiously believed, from personal observation, that the establishment of a Southern Confederacy would, to a certainty, be followed by an amelioration of the condition of the slave, and eventually by a general manumission. The chief cause which had hitherto prevented it was the indiscreet efforts of a small abolition party in the North, whose advocate the hon. Member was on the present occasion—that party had done more to postpone the cause of abolition than any other class. He repeated, the cause of the negro would be more advanced by the success of the South than by any other event. The question now before the House might be divided into two parts—whether interference should take place; and, if so, what that interference should be. He might be inclined to agree in the views expressed in the Amendment of the hon. Member for Bradford (Mr. Forster) in favour of the continuance of non-intervention if it were not for our peculiar position towards America. We were not in the position of being totally indifferent in the matter—we had a *locus standi* in the shape of 5,000,000 of people in the manufacturing districts. Hon. Gentlemen must all have read the reports of the Commissioners sent by the Government into the distressed districts. He concurred fully in all that had been said of the magnificent courage which had been displayed by our distressed population. Thousands and thousands had been thrown out of employment, and their little hoards, the fruits of their hard labour and economy, were dribbling fast away day by day; but would they continue to bear their privations with the same firmness—nay, more, ought the House to entail them upon them if they could possibly be avoided? This was a question of principle as well as of interest, and he would ask did not this country inherit responsibility as well as greatness? Had we not a duty to perform to Europe, and ought we not to come forward and state what our views were on this subject, lay down a course of policy, and accept the consequences of it? Two or three weeks ago he read in the New-York journals that there would have been reason for our interference some time ago—we might have urged that it was necessary in the interests of our own population; but that now no such interference would be justifiable, because the Federal Government had all the cotton ports in their possession. This was not true, for Savannah, Mobile, and Charleston still resisted the Federal arms; but even if the North held the cotton ports, our interference ought to be grounded, not on cotton alone, but on conscience and Christianity. Two reasons might be urged against our interference—one being the chance that the North would be successful, and the other the necessity of maintaining friendly relations with the North. But what were the chances that the North would restore the Union? Could any person of reasonable mind doubt that the idea of the re-establishment of the Union by the Northern Power was an utter fallacy and delusion? Look at the position of affairs. For sixteen months the South had successfully kept at bay the North, though the latter were backed up by all the resources of Europe. The Southern capital was within 120 miles of the seat of the Northern Government, and yet it remained intact, and he had received a letter partially corroborating the news announced to-night, and stating that the Northern troops had been worsted near Richmond and were retreating. It had been proved that the Federal forces, when they were once taken from the seaboard and from the support of their gunboats in the river, could make no way at all. And under what circumstances had the South been fighting? The war surprised the South without a navy or an army. Theirs was an agricultural population; they had no manufactures of their own, and they had had to improvise everything — even the rudest manufacture of gunpowder. Yet now, after an interval of sixteen months, they gallantly held their own. The fact was, that you could not beat such a people—for this reason, that they were fighting for freedom. It was the old tale—

> "For Freedom's battle, once begun,
> "Bequeathed from bleeding sire to son,
> "Though baffled oft, is ever won."

But allowing that the South was overcome, how were the North to hold it when, by the confession of one of their own statesmen, it would take 200,000 men to hold Kentucky and it took 70,000 to hold Maryland at the present moment? Why were we to exercise this unnatural magnanimity in keeping the lists open for a contest in which all our sympathies should be with the South? If this were the case of a king trying to subdue his rebellious subjects, how the hon. Member for Bradford and his party would exclaim! "The freedom of a people is at stake," they would say. Well, but he had this pull over the hon. Member. When a Sovereign had subdued his rebellious subjects, he resumed the government as before. But how could the Federalists henceforth govern the South? Not upon the principle which they professed—the will of the people. Twenty millions of people were trying to impose their rule upon 8,000,000, who, whether rightly or wrongly, detested it, and they were trying to do this by means of an army of which three-fifths were mercenaries. There was another point noticed in the newspapers, and corroborated by his private letters. Were we to hold aloof while the Northern Government enlisted 40,000 Blacks in order to assist in imposing their rule upon 8,000,000 Whites? As to the chances of our remaining upon friendly terms with the Northern Government, they were very slight. On almost every occasion, from the commencement of its existence, that Government had opposed, thwarted, and insulted us. Instances of this abounded. Upon no occasion had they shown the slightest consideration towards us; and it was truly remarked by a writer upon this point that the course taken by the American Government during the war with Russia was dictated not by sympathy with Russia, but by hatred of England. What could be done in the face of the extreme wilfulness and hostility of this very wayward child? All our forbearance had not produced on her part an atom of good-will or one bit of respect towards us. When the noble Lord at the head of the Government declared that General Butler's proclamation was an infamous one—an opinion which would be endorsed by every Member in that House—the American newspapers said that the Mississippi was not the Thames, that New Orleans was not London, and that when they got their hands clear, they would whip the old country until she knew how to behave herself. We might well laugh at all this, but what were the practical proofs given of the hostility of the North towards us? Not content with the Morrill tariff, the North had introduced a tariff still more prohibitive. In Boston and other towns in the Northern States placards were posted outside the shops setting forth that "No English goods sold here;" and was that, he would ask, a country in favour of which any extraordinary sympathy ought to be shown by the English people? The inhabitants of the Southern States were by interest and necessity free-traders, who, if they were let alone, would be glad to exchange for our manufactured goods their raw material. A Member of the Southern Government said to him at Richmond—

> "I cannot understand how it is that your sympathy is not with us. We are not, and never mean to be, a manufacturing or naval Power; we should therefore look to England to be our workshop and our carrier."

Let us, however, discard the notion of self-interest from the consideration of the question as sordid. Let us put aside also the question of the moral responsibility of England and what might have been expected from her influence on European policy, and he would appeal to the feeling of the House. He would ask whether it required any great stretch of imagination on the part of the hon. Member for Bradford and those who supported his views in reference to the struggle going on in America to realize the feelings of those men in the South who saw their friends and relatives hung, or run the risk of being so, because they happened not to show respect to a flag which they abhorred, and the women around them outraged because they did not treat with what was deemed the requisite civility a soldiery they detested. The cause of the South, he might add, was that of 6,000,000 or 7,000,000 of people struggling manfully for their independence, and maintaining bravely their position for a period of sixteen months. Was it surprising that under those circumstances they should think they had a claim to the sympathy and good offices of the nations of Europe? Why not, he would ask, adopt in their case the principle on which we had hitherto so constantly acted—that of acknowledging Governments *de facto*, and not interfering with the will of a people, as was done in the case of the Provisional Government in Greece, in the case of Belgium, and at the present day in the case of Italy? The principle was one, he might further say, which was not new to America herself, for in 1848 Mr. Buchanan, in writing to the American Envoy in Paris, stated that—

> "In its acknowledgment of foreign nations, the Government of the United States has, from its origin, always recognised *de facto* Governments, and the right of all nations to create or reform their political institutions according to their own will and pleasure. . . . It is sufficient for us to know," he added, "that a Government exists capable of maintaining itself; then our recognition immediately follows."

That was the enunciation of a policy which he thought might justify our recognition of the Southern States. Now, he held in his hand a letter from the United States dated the 5th July. He would not trouble the House with the whole of it; he would only read a sentence towards the close, in which the writer said—

> "If you wish to pay off all your small debts to the North, let them alone, and, like the two Kilkenny cats, they will do the work for themselves."

No doubt, if our feelings towards America were as they were described in New York journals, this would be our natural policy; but as we knew those are not our sentiments, then let him ask whether justice, humanity, and interest combined, do not warrant interference and action? He must, however, observe, before he sat down, with respect to the question of mediation, that he did not think *pur et simple* mediation would be found to be worth much; while, with reference to the recognition of the Southern States, which might be regarded as an act of civility on the part of one country towards another, he did not think that it ought of necessity to be regarded as a *casus belli* by the North. It might, on the other hand, possibly entail on us complications which, on account of a merely complimentary proceeding, it might not be worth while to encounter. Then came the question whether any action should be taken by this country; and if taken, what the action should be? He had ventured to submit his views to the House of Commons. He thought the time was come when the English Government might interfere in some way to stop this deplorable struggle, either by itself or in conjunction with some European Powers. It was his strong opinion that the arbitration should be with the olive-branch, and not with the sword; but that it should convey the expression of the European Powers, that, in their opinion, this conflict had lasted too long; that its continuance could lead to no result; and that the interests of civilization and humanity demanded its cessation. He believed that the time was come when such an interference would be successful, and he thought it the duty of the House of Commons to strengthen the hands of the Government in this matter; and if such a course were adopted with singleness of purpose, they might hope for that benediction from above which was held out in Divine Writ to the peacemakers upon earth.

MR. W. E. FORSTER said, the noble Lord had asked him a variety of questions as to what the Northern Government would, could, might, or should do in certain contingencies. He begged to assure the noble Lord and the House that he did not stand there as the advocate or mouthpiece of the Northern Government. He looked at the question purely from an English point of view. No man more deeply deplored than himself the evils caused by the war, both here and in America, and no prepossession in favour of either party would prevent him from supporting any feasible mode of putting an end to them. He believed, however, that the Motion of the hon. Member for Sunderland, so far from staying the war, would rather aggravate and prolong it, and, possibly, drag us into it; and he earnestly trusted that we would persevere in the principle and policy of entire non-intervention. The Motion had undergone many alterations. First, it simply implied recognition of the Confederate States as an independent nation; then it implied both recognition and mediation, if not something stronger than mediation; then recognition was dropped out, and Her Majesty was requested to adopt measures, in conjunction with other European Powers, to put an end to the civil war in America. It was to the Motion in that shape that he had ventured to put an Amendment on the paper. It was evident there had been a conflict of opinion in the hon. Gentleman's own mind, whether he should go for a friendly mediation, or mediation accompanied with a threat; but let not the hon. Gentleman transfer that doubt, which existed in his own mind, to the House, so that America and their own constituents should not know what was really meant. What did they mean? Was it friendly mediation or forcible intervention? If the object was friendly mediation, in the present relations with America, the less that was publicly said about it the better. He differed from his hon. Friend as to the causes of the war, but there could be no doubt as to the object in continuing it. The men of the

South were fighting in order to make themselves an independent nation, and in order to destroy the Union. The Federals were fighting in order to prevent their becoming an independent nation, and in order to maintain the Union. How was it possible to end the war short of the utter defeat of either party? either that the men of the South should on some conditions return to the Union, or that the men of the North should on certain terms allow them to leave it? If any Government would go between these two powerful and furious foes—both confident in the right of their cause, both sanguine of success, neither prepared to submit to dictation—one thing must be avoided—to express any opinion on the object in dispute. But the hon. Member for Sunderland had, in bringing forward this subject, expressed an opinion in favour of the South, and accompanied it with a threat to the North, which had been reiterated boldly enough by those who supported him. Yet the hon. Gentleman expected the North to listen to this friendly mediation. They were going the very worst way to work in order to effect their object. Notwithstanding his wish for peace, the hon. Member for Sunderland does not think our mediation would be less likely to be successful if accompanied by a threat. Was that likely to put an end to the war? Were we in the position of the Federals —take the case of the war in India—if an offer of mediation had been made, accompanied by a threat—if France had stood forward and said, this contest can end only in separation—should we not have considered it an insult, and, instead of bringing us to peace, would it not much more likely have tended to aggravate the war? If we wanted this war to be prosecuted by the men of the North with greater fury, we could not go to work more ingeniously to attain our end. Again, if any disturbance arose in Ireland, if a contest were going on there, and if another Power stepped in, saying to us, "Let Irishmen alone, and let them govern themselves," should we be prepared to submit to dictation in such a matter? It might be said this was a war so suicidal, so foolish, so wicked, that we must simply consider how to put a stop to it. Now this was not the opinion of the vast majority of the 20,000,000 of the North, and it would not be our opinion if we were in the same position. The courage and endurance of the South were beyond all praise, and commanded our sympathy; but why did they evince these qualities? Because they regarded the Northern army as foreign invaders. But let us threaten the North with foreign interference, and we shall work them up to the same pitch of fury as the South. On the other hand, if we left them alone, it was possible the Federalists might themselves find out that they had undertaken a task too hard for them. President Lincoln had called for 300,000 more troops. He could not help thinking there was a little more difficulty in getting these 300,000 than there was before. The sick and wounded men going home were not good recruiting sergeants; but if we wished to find President Lincoln his 300,000 men, we had only to send out by next mail the statement that England, in concert with other Powers, threatened interference if she did not put a stop to the war. Some went still further, and were ready to assume the character of peacemakers, as defined by the noble Lord at the end of his speech—rather a curious interpretation of the language of Scripture, "Blessed are the peacemakers"—who do not stand aloof from the contest. There might be those who would say, "Better a war with America than a continuance of the present state of things." Now, surely, if we had no *casus belli* against America, where would be the justification of our going to war with her? Were we to go to war with any country because we happened to be in disaster on account of what was occurring in that country? Not only would such a war be wicked and unjust, but foolish to the greatest possible degree. It was said that our population was starving, and he believed that the cotton famine at this moment was likely to get worse. But we could keep the working population of Lancashire in luxury for less than the price it would cost us to interfere as the noble Lord opposite suggested. We had a cotton famine now; but if we did that, we should stand in danger of a corn famine. Even if we were to enter into such a war, and to break all the rules of international law, on the ground of mere interest, because we could not get a certain commodity, then we ought to take our material interest in all its bearings, and see whether we should not lose more than we should gain by it. He believed that, considered in a merely selfish and economical point of view, such a war would be the worse alternative. His hon. Friend the Member for Leicester had referred to the case of the French Revolution, and the intervention which then took place. Did they not all know that the horrors of that revolution were made more horrible still by that intervention, and the struggle rendered more bitter? Well, the same thing would happen if we now interfered in America. This was not a common civil war—it partook more of a revolution than of a civil war; it was an entire change in the social system. The Southern States had been slaveholders, and the Northern States had connived at their being so. But the American people now felt that they could not remain a great and powerful country, united before the world, because of slavery, and they said they would have an entire change in their social system. He believed it was now generally acknowledged that slavery was the real cause of this war. ["No, no!" and "The tariff!"] Why, Vice President Stephens said that the South went to war to establish slavery as the corner stone of the new Republic. The tariff was not mentioned in the declaration of independence put forth by South Carolina, and it was scarcely alluded to in the contest for the Presidential election. He believed that slavery was the cause of the war, and that the war would cause the end of slavery. How it would do that he did not pretend to say, and he would make no prophesy as to whether it would result from the South becoming independent. But he said—"Let us, who are free from the responsibilities which are coming upon that unhappy country in punishment for the crime of slavery, take care how we involve ourselves in any such responsibilities by an attempt at interference." There was a feeling in the North, with respect to the question of slavery, at which some persons sneered. The North was loath to add a servile war to the present civil war, and hence, in a great measure, the inconsistency with which it was taunted. Let us not by our interference be instrumental in any way in helping to provoke a servile war. It was said that we should be sure of cotton, but in six months after we interfered the able-bodied negro slaves would probably be converted into Sepoys, acting with the army of the North instead of producing the raw material for our manufactures. Thanking her Majesty's Government for the policy of non-intervention which they had hitherto pursued in regard to this terrible war, he earnestly hoped they would continue to adhere steadfastly to that policy. This matter, he thought, might be safely left to their discretion. As to the present Motion, altered though it had been, yet remembering both how it was worded, and the way in which it had been supported, he must give his vote decidedly against it.

MR. WHITESIDE: Sir, I quite admit, with hon. Gentlemen who have addressed the House, that this question is one of great delicacy and some difficulty; but it does not therefore follow that we should not venture to express an opinion upon it. I do not believe that any popular assembly in the world could be more cautious, more abstinent, more prudent and circumspect than this House of Commons has been since this unhappy war began. For a long period it has been felt by every hon. Member that the introduction of the question would be unpalatable to the House; but now, when under different circumstances, and after a great lapse of time, an independent Member has introduced it, it would, I think, be very cowardly on our part not to express our feelings upon the true question before us, which, with all deference to the hon. Gentleman who spoke last, I hold he has left untouched. An hon. Gentleman connected with the North of England has stated the degree of suffering which now presses upon our artisans there. That is only one part and one phase of the great question which now rises before us in such awful proportions. We are not so much concerned with the past as with the present and the future. Her Majesty's Government have given us their opinion on the subject of fortifications, and on other subjects which may be of more or less importance. They have stated nothing on this great question, which is uppermost in the mind of every man in the kingdom. I think the hon. Member who has introduced it deserves well of the country, for having afforded Her Majesty's Ministers the opportunity of declaring what their opinions are on this momentous subject. There may be involved in it a question of principle and a question of high expediency; but both the principle and the expediency ultimately turn upon a question of fact. I maintain that this Motion in a great degree turns upon a matter of fact—because we do not come here to discuss whether one form of Government is better than another, nor to criticise the Government of the United States. I remember that the sentiment of the Roman historian was applied to the Government of those States after they had seceded from the Government of England—"Civitas, incredibile memoratu est, adepta libertate quantum brevi creverit." I have no intention of speaking disrespectfully of that Government, nor of the Government established by the Southern States. I do not believe that the rules or principles of international law give us any authority to sit in judgment between the disputants. It is not for us to pronounce precisely how far either party was, in the first instance, right or wrong; although, indeed, if one were animated by an impertinent curiosity, he might be disposed to ask how it is that republicans refuse to allow republicans to form a republic. I cannot understand how the gentlemen who framed that famous Declaration of Independence which procalims that all men—at least all white men—are created free; that all men have a right to examine the principles of the Government under which they live—to alter, amend, change, or destroy it according to their sovereign will and pleasure—I say I think it would puzzle any person to give a reason why those who have acted upon such principles, and who have changed their own form of Government on the ground that it was not convenient to maintain it, should deny others the exercise of the same privilege which they claimed for themselves. If we were to follow the precedent of Mr. Justice Story, we might construct good arguments to show that in the constitution of that country there is nothing to prevent one State seceding from the Government of another, if it thinks fit to do so. But I admit that, in the practice of the United States, there is a considerable difference between seceding to the United States and seceding from the United States. I have always understood that the behaviour of Florida was exemplary in seceding from Spain; that her conduct in seceding to the United States was better still; that the conduct of Texas in seceding first to Mexico, and next from Mexico to the United States, was perfectly right; but when Texas now secedes from the United States, the champions of liberty start up and denounce in the strongest terms this secession as a daring attack upon the constitution of the United States. I think some Gentlemen have forgotten that the Americans have framed a clause in their new constitution which enables them to take under their particular wing any State—and even Canada has been hinted at; they would receive any State which might think fit to prefer to join their Government, and woe betide the tyrannic Power of Europe that should dare to question that right. Upon principle there is almost nothing to discuss. Nor do I think it surprising that there has been a secession of certain States of America. If you investigate the character of the populations of the North and South—if you look at the vastness of their territories, and consider the incompatibility of their tempers, habits, passions, and desires—it is surprising, not that there should be now a secession, but that it has not happened long ago. The hon. Gentleman who moved the Resolution (Mr. Lindsay) ascribed these cession to several possible causes. One was said to be slavery. The hon. Gentleman who last spoke (Mr. W. E. Forster), and gave utterance to very creditable sentiments, asserted that slavery was the cause of the secession. But I find that the most intelligent persons in New York, including Governors, Generals, and even the President himself, differ from him. I have read a Resolution passed at a meeting in New York the other day, in which nothing could be more precise or emphatic than their denunciations of those who said that slavery was a question between the North and South, and they went the length of asserting that such a statement could only be put forth by the enemies of the Republic. Therefore I can scarcely accept slavery as the cause of quarrel. Loss of power may have been an important element in the dispute; and the hon. Gentleman stated correctly that where representation depends upon numbers, and when the great influx of population into the Northern States took place, the South saw their power would be destroyed, and accordingly they came to the conclusion that they might as well fight for their political existence now as at some future time. The hon. Gentleman also drew the attention of the House to the question of tariffs and free trade, and I must say I am startled to find free-traders in theory so opposed to it in practice. I have not heard the disciples of Adam Smith say one word against the tariff now imposed upon the manufacturers of England by the Government of the United States. I agree we have no right to go to war on that ground, and no sensible man ever said so; but we have a right to observe that policy, to understand upon what principle the United States are acting, and to govern our conduct in accordance with our interests as they govern their policy in accordance with their interests. This will appear a more critical question than the hon. Gentleman who spoke last seems to think, for no one can deny that self-interest is a great moving-spring of human action. If the men of the South think that their interests are affected injuriously by the policy and taxation of the men of the North, it is not at all surprising that they should do what people in all ages have done under similar circumstances. Looking at the opposing interests of the North and the South, every sensible observer would have said at the beginning of this quarrel, if you are about to separate, separate quietly. The North may have a brilliant destiny before it—the South may, perhaps, become wise. But I cannot believe that the evil of slavery—which the North never did abate when it had the power—that that is the cause of the quarrel. I have heard nothing to show that the slave population in the South have risen against their masters, nor does it appear that there is any alarm in the South of a rebellion of the slave population, such as we have been led to expect, and therefore we should be cautious in forming opinions upon a question upon which we have not the materials for a sound and safe judgment. But what, then, was the cause of quarrel? And here I think the hon. Member who spoke last has left the question untouched. If the causes of quarrel be deep-rooted and fundamental, may I ask him to tell me when is the point of time when the South will be reconciled to the North, or the North to the South? If the quarrel be one of principle, as he has said—if one party abhors the other—if there be that hatred so intense and malignant that one party is prepared to perish rather than to live under the same Government with the other—will the hon. Gentleman tell me when is the point of time that would be auspicious for us to intervene. not, as he said, mistaking the object of the Motion, by war, but in the spirit of this Resolution, which I understand to state two important matters of fact, and then to propose a policy arising out of those facts? If these facts do not exist, there is no ground for the Motion. These facts are—that "the States which have seceded have so long maintained themselves under a separate and established Government, and have given such proof of their determination and ability to support their independence"—these are the two facts from which the policy springs—"that the propriety of offering mediation with a view of terminating hostilities between the contending parties is worthy of the serious attention of the Government." I understand those words to imply that mediation with a view to recognition is the policy that is put forward in the Resolution—a policy that can only be founded upon a belief in the facts that are stated in the Resolution. But that is a different question from that which has been raised by the hon. Gentlemen who have opposed the Resolution. I will admit that, no matter what the rights of the quarrel might be on the part of the South against the North, nor how plausible soever the reasons that may be assigned, there would be no ground for any State to offer any opinion or to acknowledge the existence of the seceding State, unless that seceding State has exhibited power, has been able *de facto* to establish a Government, and has exhibited courage and ability requisite to maintain that Government. It therefore becomes a matter of fact whether the seceding States have established a Government, and have shown a power and determination to resist any force that can be brought against them; and, if so, whether there is any ground to believe that at any time that can be named the North will be able to subjugate the South. I understood the hon. Member for Leicester (Mr. Taylor) to say that we ought to stand by until the North had overwhelmed the South. I do not know from the news we hear whether Washington will be taken by the men from Richmond or Richmond be taken by the men from Washington; but I do know that at the end of sixteen months, Richmond being only 130 miles from Washington, that city has not yet been taken, and that no great success has been obtained by the North upon the field of battle but where they have had the powerful aid of their gunboats. There is also the extraordinary fact that the President of this all-powerful Republic demands a conscription of 300,000 men in aid of the half-million or more already in arms to crush these incorrigible and sturdy asserters of Republican freedom. Then we come to the facts of European history and international law, and from that I do not intend to shrink. If we have no grounds founded upon international law for expressing our feelings, for recommending mediation, and for going to the extent of recognising the South, we have no case, and we must submit to the miseries inflicted upon our own people and abstain from recognising a Government *de facto* which has established itself in strength, power, arms, and valour. Hon. Gentlemen who have spoken against the Motion appear to have given the strongest arguments against themselves. They say that this is a terrific conflict, hundreds of thousands of fresh combatants will appear, one party may destroy itself, it will not destroy its opponent; but I want to know whether, as Christian statesmen and senators, if we can prevent this waste of human life, this destruction of property, this interruption of trade, this disturbance of the peace of the world — ought we not to do it at the right time, before irremediable mischief has been done? What are our rights? We are told we have no right to interfere. What are our duties and responsibilities? Do you remember that you have recognised the South as a belligerent Power? When the recognition was made by Earl Russell—and I do not censure him for it—I thought it a remarkable and significant fact, because in the great contest between Spain and her revolted provinces in America, when Sir James Mackintosh and the Whig party pressed on Mr. Canning to recognise each particular province that had established *de facto* its independence, the fact was very strongly urged that he had admitted those provinces to be a belligerent Power. Mr. Canning was a very candid man, and the answer he gave to that argument was this—

> "We allowed the colonists to assume an equal belligerent rank with the parent country. Thus we did *pro tanto* raise them in the scale of nations."

We have already raised the Southern States to the scale of nations—we have admitted them to the rank of a belligerent Power—and they are not engaged as rebels or pirates, but as a nation waging war against a nation. It is in this form that the question comes before the House. Those Gentlemen who have spoken against the Resolution have held that recognition is inconsistent with neutrality. That I entirely deny. I say that recognition is compatible with neutrality; and no State has asserted that doctrine more constantly than the United States of America. I have a sincere respect for the United States of America. They have had able statesmen, great jurists, and enlightened lawyers. They have books written with a taste and elegance which some of our writers have failed to copy; but on this question they must reason with us. In the consideration of such a question there is no use in appealing to prejudice or passion. We argue this question with America as we should with the proudest commonwealth in the world; but we must argue it on reason. There is no use in their seeking to make a law for themselves. They must argue it in accordance with the laws which bind civilized nations. How does it happen that recognition and neutrality are compatible? If we establish that proposition we shall have done a great deal to prove our case. The Motion is not a rash one—one for a wild interference which would lead to war. Now, when I speak of Sir James Mackintosh, I do so with sincere respect and admiration. Great he was—greater as a professor of ethics, as a philosopher, as a professor of natural law, as it is called, than as a statesmen—he is an authority on a question of this kind; and he had occasion to consider whether recognition, as he expounded it, led to war with the parent country in the case of a province which had revolted, and he said—

> "I wish to add one sterling fact on the subject of recognition. The United States of America accompanied their acknowledgment with a declaration of their determination to adhere to neutrality in the contest between Spain and her colonies. A stronger instance cannot be adduced of the compatibility of recognition and neutrality."

It was said that in this sense recognition must always include a denial or renunciation of authority. Certainly, when what have since been the United States committed, as I think, the great mistake of renouncing the good Government of England, they obtained a recognition afterwards. But in the case now under consideration, we have nothing to renounce, and we are not going to confer any powers or advantages on any State. The recognition spoken of in this Resolution is the mere acknowledgment of the existence *de facto* of a Government, and nothing more. Sir James Mackintosh, in spite of such a recognition, says—

> "It implies no guarantee, no alliance, no aid, no approval of revolt, no intimation of opinion concerning the justice or injustice of the circumstances by which it has been accomplished."

That is very strong. Sir James goes on to observe—

> "The tacit recognition of a new State, not being a judgment for the new Government or

> against the old, is not a deviation from perfect neutrality or a cause of just offence to the dispossessed ruler."

I say, therefore, that the United States will have no cause to quarrel with you if you consider this is a proper time to recognise the existence of a *de facto* Government in the Southern States after the events which have taken place within the last twelve months. Let us just turn to the history of Europe, and see whether hon. Gentlemen can make good the proposition that because there is a war raging between two countries a third State is not to recognise one of the belligerent Powers. We recognised the Netherlands many years before Spain and the Netherlands brought their hostilities to an end. Spain did not make that a cause of quarrel with this country. I do not think she did. Then, what do you say to the example you set in the case of Portugal? In 1640 the Portuguese rose against the tyranny of Spain, under which they had groaned sixty years. They seated the Duke of Braganza upon the throne, and in January, 1641, a Cortes ratified his title. England did not wait long. Within one year after the proclamation of the Duke of Braganza a treaty was signed at Windsor between Charles I. and John IV. Charles was moved to conclude this treaty by his solicitude to preserve the tranquillity of his kingdom, and to secure the liberty of trade of his beloved subjects. The contest was carried on, the Spaniards obtained victories, and there is no trace of any complaint, or remonstrance, or even murmur, against the early recognition by England, though it was not till twenty-six years afterwards that Spain herself acknowledged the independence of Portugal, and, what is remarkable, made that acknowledgment in a treaty concluded under the mediation of England. I dare say Charles II. was very well received while wandering over the continent of Europe when driven from this country, and I do not know that any complaint was made by him that the Protectorate had been acknowledged by other countries. How did you act in the case of Greece? Did you not acknowledge the independence of Greece before the termination of its struggle with the Turks? Then, what was your conduct with respect to Belgium? I do not think Holland had inflicted any very flagrant injury on Belgium. There was some incompatibility of temper, no doubt, and the noble Lord at the head of the Government signed a treaty with that Minister who was as politic as he was pious —Prince Talleyrand—which intimated to the King of Holland, that if he did not quit Belgium as quickly as possible, with every respect for him, you would blow him up. Within twelve months after the breaking out of hostilities you acknowledged the independence of Belgium. But it may, perhaps, be said that you did a very extraordinary thing, because the Hollanders were on the point of conquering Belgium when you signed the treaty. The noble Lord did not hesitate in that case. He was not afraid. Holland was not as strong as the United States. You interfered, and independence was established in Belgium. In the case of Austria and the Italian Duchies, there was an incompatibility of temper perhaps also; but the people in the States from which Dukes had to walk out were afflicted with no such grievous oppressions as the Southerners assert was practised on them by the Northerners, yet you did not hesitate to acknowledge the *de facto* Government in Italy. However, those examples do not serve us as well as the case of Spanish America; and I refer to it because in that instance those principles which were afterwards asserted by Mr. Canning—on the occasion when he said he "called the new world into existence to restore the balance of the old"—were laid down by Lord Castlereagh, in his elaborate and masterly despatch to our Minister at the Congress of Verona. He said—

> "The case of revolted colonies is different. It is evident from the course events have taken that their recognition as independent States has become merely a question of time; over by far the greater part of them Spain has lost all hold."

Therefore although war was still raging, as the revolted provinces had for a sufficient time shown their power to make and keep a Government, the Duke of Wellington was instructed that such Government—and the Government even of particular provinces—should be recognised. The conduct of Lord Castlereagh on another branch of this question proved how thoroughly he understood the doctrine of recognition—that is to say acknowledgment as contradistinguished from active interference. Against the strong opposition of the Whig party he brought forward his Enlistment Bill to prevent soldiers from being enlisted in this country, and sent out to assist in wresting from Spain those colonies whose happiness since has not perhaps been as great as Mr. Canning thought it would be. Lord Castlereagh held that he was not at liberty to allow armaments to sail from this country to take part in the contest, because we were at peace with Spain; but that while abstaining from encouraging revolt, or doing anything to promote insurrection, we were at liberty, in full observance of a strict, impartial, and honourable neutrality, to acknowledge any Government *de facto* once established. Spain threatened to interdict our trade and to lay on prohibitory duties. What was his answer?—

> "If you do, we will recognise the whole of those provinces as Governments *de facto*. We cannot prevent you fulfilling your threat; but if you act in that manner, we shall acknowledge the independence of those States the next morning."

In the conference with Prince Polignac a State document was drawn up in which Lord Castlereagh asserted—

> "Completely convinced that the ancient system of the colonies cannot be restored, the British Government could not enter into any stipulations binding itself either to refuse or delay the recognition of independence . . . The British Government had no desire to precipitate that recognition as long as any reasonable chance of accommodation between the mother country and the revolted provinces existed; but it could not wait indefinitely for that result"—

this is the point which I consider specially applicable to the present case—

> —"it could not consent to make its recognition of the new States dependent on that of Spain. . . . Great Britain had no desire for any special advantages in the way of trade, but considered that the force of circumstances, and the irrepressible force of events, had already determined the freedom of these provinces. She had trade relations with the Colonies, and would continue to maintain them; that if attempts at laying on a positive interdiction were made, such attempts should be cut short by a speedy and unqualified recognition of the new States."

What does the same Minister say in his despatch to the Minister of Spain?—

> "In any further step to be taken by his Majesty towards the acknowledgment of *de facto* Governments, the decision must depend on various circumstances, and, among others, the reports the Government receive of the actual state of affairs in the several American provinces."

And then he adds, "The recognition of the Government *de facto* cannot much longer be delayed." When that question came to be discussed, Mr. Brougham explained what he understood to be the difference between recognition and acknowledgment; and his words I venture to submit to the House—

> "There is, unquestionably, all the difference in the world between recognition by the mother country, implying a renunciation of her claim of right, and that bare acknowledgment for the interests and purposes of your own subjects, and for the convenience of your own foreign relations, which renounces no right, and gives no aid, but which may eventually secure the highest advantages. Viewing the subject in this light as an acknowledgment, and avoiding the word 'recognition,' about which some dispute may arise, it can be considered as no breach of neutrality towards the mother country, and can by possibility involve us in no hostile discussion with any other Power."

And the speech of Sir James Mackintosh puts this point, as it affects the United States of America, in a manner which I defy any one to answer. He says—

> "I wish to add one striking fact on the subject of recognition. The United States of America accompanied their acknowledgment with a declaration of their determination to adhere to neutrality in the contest between Spain and her colonies. A stronger instance cannot be adduced of the compatibility of recognition and neutrality." [2 *Hansard*, xi., 1404.]

The Government of the United States preceded ours by nearly two years in the acknowledgment of those revolted provinces, and they would not allow anybody to criticise their course of action. They said, "The law of nations entitles us to decide what is best for our own interests. We believe that these provinces have sufficiently established their existence; and we will resent the interference of any other Power to assist Spain in recovering her provinces." Is that the country which is now to say to England, "Beware how you offer an opinion?" This may be a question of time, it may even be a question of geography; but, after all, it is a question of fact. And is it not a fact that battles have been fought, and that no great victory over the South has been obtained? Does not every sane man believe it to be an impossibility that the South can be overmastered and put down? The United States have imposed excessive duties with a facility which must be distasteful to the followers of Adam Smith; the principles of that great writer have been set aside by Republican Governments with a freedom surprising to the most old-fashioned Protectionist. Why not apply to them the same argument which Castlereagh did in the case of Spain? The time for recognition has certainly arrived. International law, the feelings of humanity, the best and the kindest intentions towards Americans themselves, all induce us to come forward and propose mediation, having for its object to put an end to the war. Precedent is on our side; principle is in our favour; the maxims of international law are not defied but respected; we do not provoke war with the United States when we say, in a spirit of strict and honourable impartiality, that the seceding States, having succeeding in establishing their independence and in maintaining a Government, deserve to be recognised among civilized and independent States.

MR. GREGORY: It is just four months from this date that a prophet rose up among us and proclaimed, "Yet within ninety days and the civil war in America will be ended." And this prophet was a much less ambiguous and a much more outspoken prophet than his predecessors, whether sacred or profane, for not only did he give you the period within which the war was to end, but he actually described the basis of arrangement on which it was to be concluded; namely, the establishment of the independence of the Southern Republic. The prophet I allude to was the noble Lord the Foreign Secretary; and the worst of prophecies by Ministers is this, that men of business, being matter-of-fact persons, naturally conclude that these glimpses of futurity are derived from positive information, they trust to them, and they make their arrangements accordingly. And if I am correctly informed, there are not a few of them who have bitterly regretted that the noble Lord the Foreign Secretary did not follow a late strongly-laid-down injunction of the noble Lord the Prime Minister, that for a statesman, if he must prophesy, the best thing is to prophesy after and not before. Now, Sir, I understand the cause of the noble Lord's error. He was misled by a Northern gentleman who came here to set the mind of England right on American politics; this gentleman, though not actually a Minister, still occupied a position as possessing the entire confidence of the Washington Cabinet. I make no secret of the name; it was Mr. Thurlow Weed, a gentleman of great intelligence and, I believe, of moderation. I understand there is no denial that this gentleman went about and had interviews with the chief Members of the Government, and the burden of his representations was, "Give us three months, let us do our best; and if at the end of three months we fail to recover the Seceders, then we have little more to say." The noble Lord was, no doubt, struck with this appeal, and being quite acute enough to see that the Confederate States were determined at all sacrifice to achieve their independence, and remembering Lord Chatham's celebrated expression, "Conquer a free population of three millions of souls, the thing is impossible," he judged the thing impossible, and he has been right so far in his judgment. But this has been the note of every Northener since the commencement of this contest. Every one, without a solitary exception, last year said, "Within twelve months, if we are only let alone, the war will be over. We utterly abjure conquest, domination, subjugation; all that we wish to do is to enter the South, and liberate that hearty Union sentiment which we know to be there, but which is now repressed by a tyrannical and violent minority." Let us hear Mr. Cassius Clay. [*A laugh.*] My hon. Friend below me laughs, and I understand the reason why; but let me assure him that Mr. Cassius Clay is not one whit more ridiculous nor more ignorant of diplomatic usage than very many of those persons who have been sent over to represent the United States to the consternation of foreign countries. Witness the celebrated dinner at Paris of Northern representatives, and their speeches on that occasion. Mr. Cassius Clay, writing to the *Times*, May 17, 1861, asks himself various questions, which he answers with great ease and satisfaction to himself; he begins thus—

> "But can you conquer the South? Of course we can. We can blockade them by sea and invade them by land, and close up the rebellion in a single year, if let alone, for the population of the Slave States is divided, perhaps equally, for and against the Union, the loyal citizens being for the time overawed by the organized conspiracy of the traitors; while the North is united to a man."

That point being so comfortably settled, he goes on to ask another question—

> "But can you govern a subjugated people and reconstruct the Union? We do not propose to subjugate the revolted States. We propose simply to put down the rebel citizens. We go to the rescue of the loyal Unionists of all the States. We carry safety and peace and liberty to the Union-loving people of the South, who will of themselves, the tyranny being overthrown, send back their representatives to Congress, and thus the Union will be reconstructed without a change of a letter in the Constitution of the United States."

So much for Mr. Clay's views, in which he only asks for a year, and that not for conquest, but simply to elicit and set free the Union feeling compressed and fettered in the South. Mr. Bright, too, the great English advocate of the North, used precisely the same argument in his celebrated speech at Rochdale of December 6, 1861.

Speaking of the Southern States, and of Alabama in particular, he says—

> "There are great numbers of most reasonable, just, and thoughtful men in that State who entirely deplore the condition of things there existing. What would you do with all these States, and with what may be called the loyal population of these States? Would you allow them to be dragooned into this insurrection, and into becoming parts of a new State to which they themselves are hostile?"

Now, I ask you, has not this platform sunk beneath the feet of the North and Northern advocates in England? This Union sentiment has been hunted for wherever a Federal force has penetrated. Last year, on the first invasion of the Confederate territory, when the Northerners occupied Cape Hatteras, they announced they had hit upon it, and great was the exultation of the New York papers, and it turned out that it was represented by some twenty or thirty persons—half fishermen, half smugglers—who were brought together, and under the influence of "cocktails" passed certain Union resolutions. This has been the solitary and notable discovery of Union proclivities. Has General Halleck found it at Nashville, where he has so safely locked up the clergy in the penitentiary; or at Memphis? or has General Banks in Western Virginia? or General Wool at Norfolk? or has the rigour of General Butler, by treating ladies as prostitutes, called it from its lurking-place in New Orleans? No! it is perfectly clear that the Southern Confederacy is of one mind and of one heart, determined, whatever be the cost, whatever be the ruin, to work out their freedom from subjection to a people for whom their hatred is intensified by their contempt; and the Northerners now know this, and the war is no longer a war for independence on the one side, and for empire on the other. It is a war for independence on the one side, and for vengeance on the other — the vengeance of "one who grapples with his enemy and strives to strangle him before he dies." The wreaking of this vengeance is the uppermost thought of ninety out of every hundred in the North, and in this blind desperation every other feeling has been swallowed up; national faith, national solvency, national decency, national humanity, and, I may with truth add, national Christianity. The press of the United States, without exception, applauds those acts which are more the mad ferocity of a savage than of a man who calls himself a Christian. What in Europe would be infamy, in America has been dignified into energy, patriotism, and glory. Now I am not going to attack the United States for engaging in this war. If they conscientiously believed that there was a powerful Union party in each State, they may certainly plead with fairness that it would have been an act of pusillanimity to allow so great a fabric to be lightly levelled with the ground. But this I will say, that when I was in the Southern States, in all the Southern States in 1860 the universal sentiment was for separation. Whether in the railway cars, or in the bar-room, whether in high society or low society, I am bound to say there was but one thought, one aspiration, and that was, separation sooner or later. I am bound also to say there was one notable exception, and that was Louisiana, where the interests of protected sugar rendered the general disposition favourable to Union. But after the North had discovered that even those considerations failed to influence Louisiana, and that Secession was as hot at New Orleans as at Charleston, it became a blind, wilful self-delusion on their part and a mockery of the intelligence of foreign nations, to pretend that the war was continued, not for purposes of empire, but to liberate a Union sentiment, which notoriously did not exist. Well, then, if this Union feeling be a mere delusion, proved and convicted to be so—if the power of conquest be a mere delusion, proved and convicted to be so at Corinth, at Fair Oaks, at Charleston, and at Richmond, by that inexorable logician General "Stonewall" Jackson—if the war is degenerating into unmitigated cruelty, and into the wreck and ruin of what should be two great flourishing and happy communities, it seems to me the time has come when the nations of Europe should take some decided course. I do not wish to go into a history of this great campaign, but I think it is clear that the conquest of the South is farther off than at this time last year, when the North had not put forth its strength. If this be so, the dictates of humanity alone ought to have some weight with us. We do not go to war, it is true, for an idea, nor liberate an oppressed country, like our friends the French, under the influence of a sentiment. Still, in spite of our somewhat unimaginative character, we have some feelings of this tendency; and though the Taepings have some good friends in this House, public opinion is rather in favour of their being suppressed, as enemies of the human race. We thought, too, some years ago, that the Greeks and Turks had cut each other's throats long enough, and we blew up the Turkish fleet under the influence of kindly feelings to both parties. If we feel so much for Chinamen, and Turks, and Greeks, we might have some commiseration for our own blood and kin on both sides of this conflict, devastating and slaughtering each other. But our humanity should come nearer home. We should remember what is impending over Lancashire—what want, what woe, what humiliation—and that not caused by the decree of God, but by the perversity of man. I leave the statistics of the pauperism that is, and that is to be, to my hon. Friends the representatives of manufacturing England. But there is something to me even more harrowing than the physical privation that awaits the working classes of those districts. Judging of their character by their conduct, of the discipline of their minds by their noble patience and resignation, of their proud spirit of independence by their sacrifice of their all ere they condescended to ask relief, I dread, in their case, the humiliation of mind arising from the thought that they are supported from other sources than their own honest skill and industry, even as much as the stint, and the penury, and the squalid garb, and the cold and desolate hearth. The whole question of putting an end to this state of things depends on our obtaining cotton. We know we cannot get that supply in India. We do know we can get it from the Southern States of America. Now, in endeavouring to obtain it, are we likely to be driven into isolated action? Most assuredly not. France wants it as urgently as we do. Not that distress will be as extensive in France, but from the constitution of society in that country. In England the local rates provide for local destitution; in France the State is responsible, and the Emperor is the State. He is held responsible, and in France that responsibility is a danger, and shakes thrones. The French know, too, that if access to American cotton is cut off, it is to us they will have to come eventually on their bended knees for every pound of cotton they will require for their consumption, and markets once lost are not easily regained. They know also, as we know, that by the new tariff the rulers of the United States have virtually proclaimed that the great American Continent is to be closed to the products of Europe. By the Morrill tariff they resolved on scourging us with whips; by the Stevens amended tariff they propose to scourge us with scorpions, to punish France and England for that want of sympathy which they have so long sought to evoke by menace and abuse. Now, the French see, as clearly as ourselves, that this war is not only inflicting misery on all engaged in the manufacture of cotton, but that, if successful on the part of the North, it will shut out for ever 8,000,000 of customers ready and anxious to receive their silks and wine, and objects of luxury, and to give their raw products in exchange. They see, also, as we do, that if the South establishes its independence, these wretched tariffs will vanish from the North, for the smuggler will break down those barriers which United States officials—I cannot call them statesmen—have erected to gratify the insatiable love of gain of the manufacturers of New England and Pennsylvania, or, what is even worse, the promptings of malice as ignorant as it is impotent. Now, I say, France has even a greater interest than we have in putting an end to this state of things. All Europe has an interest; and I consequently think the Resolutions of the hon. Member (Mr. Lindsay) and my noble Friend (Lord A. V. Tempest) are rightly worded in calling on the Government to unite with the other European Powers in a joint and immediate course of action in this great emergency. Now I come to the question of recognition, and I shall show, very briefly, from all analogy, that we are justified in recognising the Confederate States as a Sovereign Republic; that they have every element constituting a *de facto* Government, for into the *de jure* question I cannot now enter—namely, the doctrine of State rights; and that we have openly interfered in favour of other countries, asserting their independence, and that, too, in cases where the necessity did not come home to us with one-tenth the urgency as in the present instance. The only difference was this, that the United States are strong and aggressive, the other Governments with whom we interfered were weak and incapable of resistance. First of all, take the case of Texas, for it is a strong instance of recognition. When Texas asserted her independence we were in amity with Mexico; but we did not hesitate to recognise the flag of the lone State. What was the then population of Texas? not more than 60,000. But, as Lord Palmerston said, in 1839, in reply to Mr. O'Connell, "The principles of the Government were to recognise every State that was *de facto* and permanently independent." So, considering this small State of 60,000 souls to be *de facto* and permanently independent, we followed the example of France, and recognised it. We did the same by the South American Spanish Republics. We hastened to be the first to do the same by the Kingdom of Italy; and here let me quote Lord Russell's famous despatches:—November 15, 1859. Lord Russell to Earl Cowley. "1825, England acknowledged two or more South American Republics. 1827, the treaty between Great Britain, France, and Russia, which led to the independence of Greece. 1830, Belgium rose against Holland, and Great Britain was active, both in the Cabinet and on the sea, in concerting the measures which led to the establishment of the independence of Belgium. Thus, in five instances, the policy of Great Britain appears to have been influenced by a consistent principle. She uniformly withheld her consent to acts of intervention by force to alter the internal government of other nations, but she uniformly gave her countenance, and, if necessary, her aid to consolidate the *de facto* Governments which arose in Europe or America." But, as to interference, what did we do in Greece? Why, disgusted with the long-protracted bloodshed, we blew up, as I said before, the Turkish fleet, and we made Greece a sovereign independent state, although, unquestionably, had the war continued, the power of Turkey and the Egyptian forces would have crushed the insurrection. But what did you do in the case of Belgium, to which my hon. Friend (Mr. Whiteside) has just alluded? You recognised her independence, and you interfered to establish it. Although Belgium formed part of a State called into existence by the Congress of Vienna, and its integrity recognised by the Great Powers of Europe, yet you considered, owing to various reasons unnecessary here to allude to, that its separation from Holland was of vast importance. So you tore up the treaties of Vienna at the point of the sword; you assumed an attitude of hostility to your oldest friend and ally, Holland, and you encouraged the French to bombard the citadel of Antwerp. But the Dutch held Antwerp, and would have recovered Belgium in one campaign. Well, then, I say, what is the superior claim which the United States Government has over Holland on your forbearance? Is it on the ground of a superior State necessity than that of saving the lives and independence of hundreds of thousands of the Queen's loyal and devoted subjects? Is it on the ground that the United States have been a true and faithful ally to us, and that in the hour of need we should prove gratitude, and not avert our faces from them? Witness the Russian war. Is it on the ground of innumerable kindly offices, interchange of friendship between two friendly kindred peoples? Witness the inroads of sympathizers in the Canadian rebellion, the seizure of St. Juan, and the refusal to submit that question even to arbitration on the part of Mr. Lincoln's Government. Witness the outrages that are daily occurring to British ships in British waters, at the Bahamas, and an English port virtually blockaded; witness the seizure of British property at New Orleans, and the treatment of the British representative there. Is it on the ground of high and honourable dealing, even though it be not friendly? Witness the disgraceful fraud, perpetrated knowingly, justified and applauded, in the negotiations on the north-east frontier. Sir, we owe them nothing, save the strictest and sternest justice. And I am perfectly entitled to ask—What is the meaning of all this terrible bother over our heads which Mr. Seward has raised, in that despatch in which he threatens the nations of Europe with I know not what, in case they venture even to hold communications with Confederate Commissioners? Let me show the House what has been the invariable practice of the United States—God forbid that we should frame our practice on American practice!—but I have a right to enter into these matters to show you, that though the doctrine allows to themselves every liberty of action, they make all this terrible hubbub if they even suspect that any other country is about to venture an inch on the same path. In March, 1848, Mr. Buchanan, then Minister for Foreign Affairs at Washington, lays down to Mr. Rush, then Minister at Paris, that it was his duty at once to recognise the French Republic, and adds that—"It is right that the Envoy of the United States should be always the first to recognise a new Government," and as a confirmation of this principle Mr. Buchanan exultingly adds—

> "So anxious are the United States to recognise *de facto* Governments, that the Pope, the Emperor Nicholas, and President Jackson, were the only authorities on earth who recognised Don Miguel."

But a still stronger case remains. The House may, perhaps, remember the quarrel between Austria and the United States in 1850. The cause of quarrel was this:—Under the Presidency of General Taylor, while Hungary was contending with Austria for its independence, even so early as June, 1849, Mr. Clayton, Foreign Secretary at Washington, sent as an emissary to Hungary a gentleman with the most ample instructions, in case the opportunity presented itself of recognising what is now called the insurgent Government. It is a curious coincidence that the same person then sent to Hungary to recognise its independence, was one of the representatives of the Southern States lately in this country, to claim their recognition—I mean Colonel Mann. The instructions given to Colonel Mann were published subsequently at Washington, and offence was thereby given to the Austrian Minister, the Chevalier Hulsemann. A spirited war of words took place between him and Mr. Webster, the then Foreign Secretary; and it was on that occasion that Mr. Webster wrote his celebrated letter, throwing down the gage to the despotic Powers of Europe, enunciating the principles of the United States as regards the recognition of new States. He says—

> "It is not to be required of neutral Powers that they should await the recognition of the new Government by the parent State."

The words "parent state" clearly recognise the right of secession, and he points out how, in the case of the Spanish South American Republics, Greece, and Belgium, independent Governments were recognised by the leading countries of Europe, and by the United States, before they were acknowledged by the State from whom they had separated. Now, let us come to the tests of what should entitle a country to recognition as a separate sovereign and independent State; that depends on its wealth, on its population, and on the spirit of that population to maintain its sovereignty and independence. On the latter point, Generals M'Dowell and M'Clellan can give you better information than I can. First of all, as to the population; there is an impression prevailing that the South is a retrograde, doomed, and dwindling population; but in the last ten years, according to the late census, the slave-owning States have increased from six and a half to eight and a half millions in free population. These figures show that as far as numbers go there is no retrogression, and that they are capable of maintaining themselves. Then as to territory, I will not weary you with statistics of square miles and acres, but it is enough to say that Texas alone contains territory sufficient to support a population engaged in agricultural pursuits of at least 20,000,000; that it is as large as France and the British Islands combined, that it has trebled its population within ten years, and from 1838 to 1860 it has increased from 60,000 to 600,000, and that not by any sudden influx of persons in search of minerals, as in the case of Australia and California, but by the regular course of emigration. Take the increase of property as another test—let me give you the one case of Georgia; you will find that in 1860 the taxable property of that State had reached 670,000,000 dols., or double what it was in 1850. Now, let us see how the Southern States stand as regards their productive powers. According to the report of the Secretary of the Treasury of the United States, lately published—the Report, I mean, on Commerce and Navigation—the exports of domestic produce for the fiscal year ending June 30th, 1860, the year before the war, amounted to 373,000,000 dols. in round numbers. Of this 56,000,000 dols. was in gold coin and bullion, which it is impossible to allocate between the two sections, and which, therefore, had better be deducted, leaving 317,000,000 dols. to be accounted for; of this 198,000,000 was in exports from Southern ports, and 19,000,000 dols. of Southern products, such as cotton, rice, tobacco, turpentine, pitch, &c., from Northern ports. We thus find, that of the whole 317,000,000 dols., 217,000,000 dols. of Southern produce, 100,000,000 dols. of Northern. So much for the material condition of the South—and now as to their position as a Government. The words of President Jefferson Davis, in his inaugural speech, are the very notes of Southern policy—

> "An agricultural people, whose chief interest is the export of a commodity required in every manufacturing country, our true policy is peace, and the freest trade which our necessities will permit."

And have they not amply fulfilled this pledge? They have thrown open the Mississippi to the commerce of the world; they have abolished all discriminating duties on foreign tonnage; they have sanctioned the lowest *ad valorem* tariff compatible with their necessities, and they have embodied in their constitution a provision that duties are to be imposed for revenue, and not for protection. Now, I have heard many persons abuse the Southerners for their destruction of cotton. You might as fairly abuse the Russians for the burning of Moscow. They burnt it, not to prevent it from reaching us, but to prevent it from becoming a source of wealth and strength to their opponents; it is not to starve Manchester, but to starve Lowell and New England. Remember, the Northerners promised us a cotton port, and how have they kept their word? Why, by General Butler keeping watch and ward, and not allowing one bale of cotton to leave New Orleans unless it can give a certificate of loyal origin, and of belonging to loyal citizens, as he calls them. Then, again, look with what wisdom the Confederates have effected change in the former Constitution of the United States. They have prolonged the Presidential power from four to six years, and having rendered the revolution that disturbs the United States to the very centre every four years to be of rarer occurrence, they have enacted that ministers are for the future to be members of the Legislature, to explain the intentions of the Government, and not leave them to be expounded and interpreted according to the views of each speaker—a memorable instance of which was the attempt of Senator Douglas to frame a policy out of Mr. Lincoln's words, which was directly contrary to Mr. Lincoln's intentions. They have done away also with that wretched custom of dismissing every office-holder after the change of a Presidential party, the most miserable and short-sighted expedient of party warfare ever resorted to, spreading corruption broadcast, and paralysing the public service; and, lastly, they have enacted the most stringent provisions against the slave trade, and grafted them on their Constitution; and all this has been done with a dignity worthy of the inauguration of what I trust will be a thriving, powerful, and peace-loving Republic, wherein Republicans will not have to blush for Republican institutions. As I have alluded to the provisions made by the Confederate States on the subject of the slave trade, I must now detain the House for a few minutes on the subject of slavery and the slave trade, which are perpetually thrown in the teeth of the advocates of Southern independence, and very notably this evening by the hon. Member for Leicester (Mr. Taylor), whose whole argument in favour of the North was based on the fact that the Southerners were slaveowners, and that the independence of the South carried with it the extension of slavery. I should be the last man to have so ardently taken up the cause of the South from the commencement of this struggle had the contest been for the extension of slavery and the revival of the slave trade. Now, as to the slave trade. It is represented by Northern advocates, that one of the great objects of secession was the revival of this traffic. This I utterly deny. It is from Northern and not from Southern ports that proceed the real traffickers in the flesh and blood of their fellow-men. Lord Lyons writes that in 1860 eighty-four vessels were notoriously fitted out for this unholy traffic; of these eighty-four vessels almost every one belong to New York and ports in New England. When I was in Cuba in 1860 I was shown a list of the vessels that brought 30,000 of these wretched Africans to that island within the current year. The greater, by far the greatest, proportion of these vessels were American, and almost all the American vessels were from Northern ports. Of the ten vessels captured by the United States squadron in 1859-60 fitted up for the slave trade, or with slaves on board, seven were from the port of New York alone. No; the Southerners are not the culprits. It is in Yankee ships—floated by Yankee capital—commanded by Yankee skippers, sent forth on their odious errand by the connivance of bribed Yankee officials—that this work of iniquity is carried on. It will be stopped now, I trust, effectually by the treaty between this country and the United States, and I rejoice that the rulers of the United States have adopted this honourable course, for which I give them the fullest credit. But does any one believe that without Secession we should have ever got the North to consent to such a treaty? I am quite aware that in the South the subject of the revival of the slave trade has been canvassed. But its advocates are of two classes: first, the poorer class of whites, who think it right that the principles of political economy should be extended to the purchase of negroes, and that they should be permitted to purchase in the cheapest market; and secondly, by a few persons of extreme opinions in the South, who, irritated by the violent language of Northern abolitionists, have determined to go for whatever may be most galling to their opponents. Thus one extreme begets another extreme. The Government, however, in the South is not directed and swayed by this violent section, nor is it, as it would be in the North, in the hands of the populace. It is directed by the ablest, and the wisest, and the most respected men in the community, and among them the idea of the revival of the slave trade never enters their imagination. I can say, with truth, that when I was in the South the idea of the revival of the slave trade was perfectly scouted. To say nothing of the instincts of humanity, which I suppose the hon. Member for Leicester (Mr. Taylor) will altogether deny to every Southerner, there were three reasons alleged why they objected altogether to this traffic:—1st. The immense diminution of profits that African immigration would cause—the negro, now worth 1,200 dols., would fall to 300 dols. 2ndly. The unwillingness on the part of all prudent and thinking men to increase the disproportion between the whites and the coloured race; for already in two States, South Carolina and Mississippi, the negro has obtained the superiority in number. 3rdly. That from the experience of the few cargoes that have been landed, the planter dreads the incoming of these turbulent barbarians among his slaves, they having turned out perfect pests in the plantations where they were introduced. Then, again, let me remark, that Louisiana, no longer protected in her sugar, has to compete with the Cuban sugar-grower, with cheap slave labour; so that, rely on it, knowing as they do that their best chance is the enhanced price of labour in Cuba, the Louisiana planter will be as strong an anti-slave-trade man as you will find in this city or on the platform of Exeter Hall. But the best proof of the real honest intention of the South on this subject may be gathered from the articles of its Constitution. Let me read to you Article 9 of the Constitution—

> "1. The importation of African negroes from any foreign country other than the slave-owning States of the Confederate States is hereby forbidden, and Congress is required to pass such laws as shall effectually prevent the same. 2. Congress shall also have power to prohibit the introduction of slaves from any State not a Member of the Confederation."

This enactment was subsequently confirmed by all the States in the ratification of the Constitution. South Carolina, the State in which this subject has been most discussed, ratified the Constitution and condemned the slave trade by a majority of 146 to 23. It is curious enough that precisely the same arguments were used by those who objected to the recognition of Texas, as by those who object to the recognition of the Southern Republic. Mr. Hoy, in August, 1836, who had introduced the discussion on the recognition of Texas, grounded his objections to it on this very point. His words were—

> "The war now carrying on in Texas was a war not for independence, not for liberty, but positively for slavery. If Texas were added to the American Union, the basis of the connection would be to establish the slave trade permanently in that State. The Texans were men of the lowest morality, and their interest was, as speculators, carrying on the slave trade."

The Texans hardly deserved these compliments, for it is asserted by them that not one cargo of negroes from Africa has been landed in Texas since a fixed Government took the place of the anarchy of Mexican rule. President Houston's first message could not have been stronger had it been composed by Mr. Wilberforce himself; in it he speaks of the slave trade as that "accursed traffic," and calls on England "to help him to put a stop to the importation of slaves from Cuba." And now with regard to the slavery question, I do not hesitate to say, that looking on all that is going on with the hope of gradual diminution and ultimate extinction of slavery, every Englishman ought to wish for the triumph of the Southern separation. I contend it is the only circumstance that can contract the area of slavery and prevent its extinction, whereas the restoration of the Union would confirm, stabilitate, and spread it. Supposing peace were now concluded on the basis of the independence of the South, it is probable that a portion of what is now slave territory would go with the North; but I do not pretend to form an opinion as to what would be that portion. This much, however, is clear, that there would be no fugitive slave law. The consequence would be, that a slave on the border, on considering himself aggrieved, could, with very little risk, make his escape. The result of this would be, that in the Border States slavery would be pushed back and free labour would take its place, and this process would go on until slavery became confined to that portion of the South where white labour would find the climate insupportable — and bear in mind that, with the establishment of a separate Republic, the South could have no jealousy of free labour—they will then gladly welcome every accession of wealth and industry. But do you, who hate slavery in your hearts, really think the reconstruction of the Union would favour your views? Why, you must be mad to think so. Why, what would be the result of reconstruction? Why, that every concession on the slavery question would be offered to the South if they would only come back again, and allow the North to dip as deep as before into the pockets of their dupes. Why, what can be more lamentable and more humiliating than the conduct of the North from the commencement of these troubles till now? They come whining to the South, with patriotism in their mouths, but with protection in their pockets, and they proffer everything, only let them return and deal with them again. For this they offer to recognise slavery by name; they offer to get the States to do away with Personal Liberty Bills; they offer to tear up and split into toothpicks the chief plank of the Chicago platform. Now, what said the men of the Chicago Convention? That under no circumstances would they ever allow slavery to be extended to their territories. Upon this there could be no surrender—other concessions they might grant; but this—in which humanity, conscience, and all the holiest considerations were indirectly involved,—this they never could surrender no never, never, never. And what have they offered? Why to cast all these considerations of conscience and humanity and duty to the four winds of heaven, to hand over all territories south of Mason and Dixie's line (36° 30′) to slavery, if only the South will return and wear bad clothing, and use inferior iron, and pay the North some 9,000 000 sterling a year for the advantages of such a connection. Is not this the case at this very moment? And let me recommend the seventh resolution of the great meeting held at the Cooper Institution, New York, on the 1st of July last, to the consideration of the hon. Members for Leicester (Mr. Taylor) and Bradford (Mr. Forster)—

Mr. Gregory

> "7. That this is a Government of white men and was established exclusively for the white race; that the negro race is not entitled to and ought not to be admitted to political or social equality with the white race; but that it is our duty to treat them with kindness and consideration as an inferior and dependent race."

A New York pamphlet was put in my hand last year by a Member of this House, supposed to carry with it very strong arguments to induce the South to return and nestle again in the warm Northern bosom —and this was one of the inducements—

> "Slavery, as protected by the Constitution of the United States, has more friends in the North than it has in all the world beside—friends who would march by thousands for its protection and defence as it exists under the Constitution."

But to leave anonymous writers for a minute, let us turn to authorities. In December, 1860, Senator Johnson, of Tennessee, used these words—

> "If I were an abolitionist, and wanted to accomplish the abolition of slavery in the Southern States, the first step I would take would be to break the bonds of this Union. I believe the continuance of slavery depends on the preservation of the Union and a compliance with all the guarantees of the Constitution."

The *New York Tribune*, the recognised organ of Northern Republicanism, the unflinching advocate hitherto of immediate abolition at all risks and hazards, pipes in quite an altered and lower key, "Be it the business of the people everywhere to forget the negro and remember only the country." But what said, last year, the man who wanted to occupy the Presidential chair, bearing on his banner two words, since rendered famous, "irrepressible conflict"—irrepressible conflict between slavery and freedom. I mean Mr. William Seward; the same Mr. Seward who was lately making capital by offering to sacrifice everything to Secession except the Morrill tariff, and who proclaimed an irrepressible conflict with every one of his former convictions and expressions. This Mr. William Seward is the same person who only the autumn before last was stumping it throughout the North on the broadest anti-slavery principle, who at Detroit declared "that slavery was, and must be only temporary and local;" who, in European boudoirs and saloons, had been trying to play the part of Barak to the Deborah of Mrs. Beecher Stowe; prophesying woes and lamentations to the South, and singing songs of triumph on the approaching exodus of the African race from the land of Egypt, when his hands should have grasped the reins of State. Let us hear what a consistent man says of the present most influential Minister of the Washington Cabinet. The person I quote is Mr. Wendell Philipps, a man as honest as he is eloquent—fanatical, if you will, upon one subject, namely, that of slavery; a most insane fanatic, no doubt, in the eyes of New York, because he is one of the few who regards his conscience more than dollars, and who thinks—

> "To live by law,
> Acting the law we live by without fear;
> And because right is right, to follow right
> Were wisdom, in the scorn of consequence."

At a meeting in the Music Hall at Boston, on June 20, 1861, he made a speech and used these expressions with regard to his former ally, who now directs the policy of the United States—

> "The Republicans, led by Seward, offer to surrender anything save the Union. Their gospel is the Constitution, and the slave clause is their Sermon on the Mount. They think that at the judgment-day the blacker the sins they have committed to save the Union, the clearer will be their title to heaven."

And again—

> "We look in vain through Mr. Seward's speeches for one hint or suggestion of dealing with our terrible lust. Indeed, one of his terrors of disunion is, that it will give room for a European—that is, an uncompromising hostility to slavery. Such an hostility, the irrepressible conflict between right and wrong, William Seward in 1861 pronounces 'fearful.'"

Mr. Philipps adds—

> "Before the Union existed, Washington and Jefferson uttered the boldest anti-slavery opinions, but their sentiments would have been mobbed this very day in every city of the North."

And the proof of the soundness of these views was practically exemplified by the narrow escape of Mr. Philipps from an enraged mob, on his return from the Music Hall; so well had anti-slavery Boston given heed to the lessons of its political instructors, "to forget everywhere the negro, and to remember only the dollars." Nothing is to me so extraordinary as persons in this country persisting to look on the North as the friend of the negro. Why, it is perfectly notorious that these wretched people, when in the North, are treated like vermin, and shunned like leprosy. Look at the course pursued towards them by Northern legislation, and then believe, if you can, in the regards of the North for the African. If you refer to the Legislatures of Ohio, Indiana, Illinois, it will be seen that every sympathy seems to have been enlisted in favour of the negro while in bondage, every hand raised against him in the North when once enfranchised. In Indiana, 1831, Free Negroes and Mulattoes Act; none of these persons to be admitted unless some white person should enter into a bond of 500 dols. for his good behaviour and power to maintain. Illinois, still more severe (1829) forbade any black to reside within the State without giving similar bond in 1,000 dols. In Oregon—admitted into the Union in 1859—the right of voting denied to negroes, Chinamen, mulattoes; and in a clause, carried by 8,640 votes to 1,081, free negroes are in future denied admittance to the State—

> "No free negro, or mulatto, not residing in this State at the time of this Constitution shall come, reside, or be within this State, or hold any real estate, or make any contract, or maintain any suit; and the Legislative Assembly shall provide by penal laws for the removal by public officers of all such negroes and mulattoes, and for their effectual exclusion from this State, and for the punishment of persons who shall bring them into the State."

In 1862, similar enactments have been passed in Illinois — the President's own State; and yet General Hunter offers to raise 40,000 negroes to fight for the Union against their masters, he knowing well that when the war is over not one of these people will be allowed to enter those States for whose love of empire they have shed their blood. I have been obliged to enter at this great length on the slavery question; for though it is now beginning to be well understood, at the commencement of this conflict the issue sought to be raised by the advocates of the North was, whether the country was prepared to advocate or to disapprove of the encroachments of slavery. This shallow device has become appreciated, and the result is the utter want of sympathy which the North experiences in Europe, and which it resents by menace and abuse. Now, I contend, if you wish to put an end to this lamentable war, if you wish at once to avert that terrible calamity which is daily increasing in intensity throughout Lancashire, you will accept the Resolution before you. It has been said, if the mediation of Europe be refused, what then? Why, then the next step must be the immediate recognition by Europe of the Confederate States. But it has been asked during this debate, will recognition give you one bale of cotton, and will it not entail war? I answer, it will give cotton, and it will not entail war. For, mind, I do not advocate isolated action on the part of England, which would, I know, be useless, and only add to the irritation against us in the United States. But it is perfectly notorious that France has long been anxious to interpose, to do something even more than mediate, and that we have hitherto discountenanced this interposition, and our thanks have been that we have so acted from our usual perfidious motives, that the United States might be exhausted and ruined by the war, and not from any desire of impartiality. Now, I say, we shall not have war; for though there is hardly a folly that has not been committed by the United States, yet it is not conceivable that, hard pushed as they are by the South, they should, in addition, bring on themselves the hostility of the most powerful European nations—and for what? Why, for doing that which every State has a perfect right to do according to all received international law—namely, to recognise any Government as independent, as was clearly shown by the right hon. and learned Member for the University of Dublin (Mr. Whiteside). But I go further, and I say that the day when the interposition of Europe is announced, the war bubble in America will burst. It will be a day long remembered in Wall Street and by the speculators of New York. It is these speculators, and contractors, and manufacturers, aided by a very small minority, who are thoroughly honest in the matter, namely, the ardent abolitionists, who are urging on and inflaming their countrymen in this war. Let but the great mass of the nation once see that Europe dispassionately believes the war to be hopeless, let them see that this mediation is offered without menace, but in a frank and friendly spirit, and I am confident that very soon it will be cordially grasped at. I look on the North hitherto as being in a state of hallucination, bewildered by the din of clamour—and boasting all around and everywhere. It seems to have been bitten by a tarantula, and drifted into a kind of monomania; that monamania is a craving that everything about it should be vast, vaster than anything elsewhere. It seems to reconcile itself to every privation and sacrifice, so that all about it be on the most gigantic scale. It boasts that it has the largest army in the world; it cares nothing for the cost. It consoles itself by the reflection that if plundered, its peculators are robbers of the vastest proportions. Even Bull Run is atoned for as being the greatest defeat in the memory of most living men. And it positively exults in the reflection that within two years it will have accumulated a public debt of as great an amount as it has taken the greatest countries of worn-out and *effete* old Europe centuries to incur. I will read to the House an extract, sent to me by I know not whom, from the *Dubugue Sun*, a newspaper in the State of Iowa, and this is the way a national debt is treated in America—

> "The man who owes nobody is a poor, miserable being; nobody manifests interest in his welfare—nobody cares a continental cent whether he lives or dies. He is lean, hungry, and generally as poor and wilted as the pin-feathers on Job's turkey. Look at our great men—they are all debtors—owe everybody; our men of science, our authors, our sensation ministers, all, the entire cahoot of them, are deeper in debt than Pharaoh's army were in the Red Sea. Debt ennobles a man; gives a more expanded and liberal view of human nature; keeps him moving, especially if he never pays rent. Nothing will cure the consumption quicker than a strong course of debt, properly taken. To owe is human, to pay is divine. Therefore till man becomes superhuman, he should not attempt to emulate divinity. The science of payment—the true modern science—is to get in debt to somebody else whom you owe. By this means, you avoid getting out of debt, and maintain a reputation of paying. The greatness of a nation increases with its national debt. Make a note of this at ninety days."

Surely no one can believe that this state of things can continue in a country of prudent, educated men; and every mail brings us intelligence that moderate counsels are beginning to make themselves heard. If the great Powers of Europe offer their mediation in respectful and friendly terms, it will arouse thousands who are desirous of peace, but who have hitherto been crushed and kept down by violence and the intoxication of success. It will have this good effect, too—that it will permit the impulse for peace to arise among the Americans themselves. It can inflict no wound on their pride and spirit of independence. It asks them to do nothing more than what their wisest and best citizens have advocated in the days when the Union was yet unthreatened. I would that over every door-post in the United States were graven at this moment the eloquent words of Mr. J. Quincy Adams, once a President of the United States, who, at the New York Historical Society, at the jubilee of the Constitution, 1839, expressed himself in this noble language—

> "But the indissoluble link of union between the people of the several States of this Confede-

rated nation is, after all, not in the right, but in the heart. If the day should ever come (may Heaven avert it!) when the affections of the people of these States shall be alienated from each other; when the fraternal spirit shall give way to cold indifference, or collisions of interest shall fester into hatred, the bands of political association will not long hold together parties no longer attracted by the magnetism of conciliated interests and kindly sympathies; and far better will it be for the people of the disunited States to part in friendship from each other than to be held together by constraint. Then will be the time for reverting to the precedent, which occurred at the formation and adoption of the Constitution, to form again a more perfect Union, by dissolving that which could no longer bind, and to leave the separated parts to be reunited, by the law of political gravitation, to the centre."

There will shortly be a lull of arms when the great heat prevents military operations; therefore I pray you to avail yourselves of this opportunity. Give us peace for a little, even though it be but an armistice, and all may yet be well. The hon. Member for Leicester (Mr. Taylor) says peace can be but a hollow truce. That I utterly deny. Fierce and vindictive as may be now the passions of both combatants, yet time, the healer of all things, scars over the deepest wound. Give us peace, and I do not despair, even in this darkest hour, that though the United States of Washington be no more, yet that the traditions of Washington may prevail on both sides of the boundary, and a great future yet be in store for those two vast Republics. If monarchies can exist side by side of each other, without strife and variance, why may not Republics? Rivalries there may be, but rivalries in progress, and in the arts of peace. I contend, if you will only help, that there is still hope that less hot and more Christian counsels may prevail, and that these two Republics may take their onward course, diverging, but not hostile—independent, yet not forgetful of their common origin—bidding each other farewell, in the language of Abraham to Lot—"Is not the whole land before thee? Separate thyself, I pray thee, from me; let there be no strife between me and thee, for we are brethren."

MR. SEYMOUR FITZGERALD moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."

VISCOUNT PALMERSTON: I should hope, after the length to which the debate has gone, that the House will be disposed to come to a division to-night on the Motion of the hon. Member for Sunderland. The subject which we have been debating is one of the highest importance, and one also of the most delicate character, and I cannot think that the postponement of the conclusion of this debate till next week can be attended with any beneficial result, either one way or other. I confess I regret very much that my hon. Friend has thought it his duty to bring this subject under discussion in this House in the present state of things. There can be but one wish on the part of every man in this country with respect to this war in America, and that is that it should end. I might doubt whether any end which can be satisfactory, or which could lead to an amicable settlement between the two parties, is likely to be accelerated by animated debates in this House. We have had to-night the American war waged here, in words, by champions on both sides. It is quite true that many things have been said which must be gratifying to the feelings of both parties now fighting in America; but, on the other hand, things have been said in the warmth of debate which must tend to irritate and wound the feelings of both sides; and it is in human nature to think more of things that are offensive, than of things which are gratifying and friendly. I confess, therefore, that I regret that the debate has been brought on, and I should earnestly hope that the House would not agree to the Motion of my hon. Friend, but would leave it in the hands of the Government to deal with the future, content as I believe the country is with the manner in which the past has been conducted by them. I do not ask this upon the ground of confidence in the Government of the day, because I think that whatever party might have the rule in this country — whoever might sit on these benches—it would be wise and expedient in the House to leave a matter of such difficulty, of such delicacy, and of such immense importance in the hands of the responsible Government of the day to deal with it according to the varying circumstances of the moment, and not by a Resolution to dictate and point out a specific course, and to tie up their hands, thus taking upon the House of Commons the responsibility which ought properly to belong to the Government. The Motion of my hon. Friend points to two courses—mediation and acknowledgment. We have heard a very learned and well-argued speech from the right hon. Gentleman opposite (Mr. Whiteside) on the question of acknowledgment. I am not going to dispute, that if this country thought it right to take that course, we should be perfectly justified in acknowledging the independence of the Southern States, provided only that that independence had been — in the words which he used—"firmly and permanently established." Moreover, I quite concur with him that our acknowledgment of that independence, if we thought right to make it, would be no just cause of war, no just cause of offence on the part of the United States as against this country. But the cases which the right hon. Gentleman cited—more especially the case of the South American Republics—were totally different from that which is now presented to our consideration. The South American Republics were not acknowledged till a great many years after they had practically achieved and obtained their independence. There was a war between them and Spain — separated by the wide Atlantic from her revolted subjects—and unable with any degree of power to re-establish her authority over them; and, I believe, it was nearly fifteen years — certainly a great many years — before their independence was acknowledged. But what was the state of affairs in this case until the uncertain rumours we have received this day? A fortnight ago it was doubtful whether the Confederates or the Federals would be in possession of Richmond. It was but a few days ago that we imagined that the whole course of the Mississippi was in the hands of the Federals—we knew that New Orleans, and possibly Charleston were in their hands; and I contend, that up to the present moment, whatever may be the opinion which anybody may entertain of the determination of the South to fight to the last for the maintenance of its independence, practically the contest has not yet assumed that character which would justify this country in assuming that that independence was permanently and fully established. But, then, many people who talk of acknowledgment seem to imply that that acknowledgment, if made, would establish some different relations between this country and the Southern States. But that is not the case. Acknowledgment would not establish a nation unless it were followed by some direct active interference. Neutrality, as was well observed by the right hon. Gentleman opposite, is perfectly compatible with acknowledgment. You may be neutral in a war between two countries whose independence you never called in question. Two long-established countries go to war; you acknowledge the independence of both, but you are not on that account bound to take part in the contest. The right hon. Gentleman argued that we had taken a step towards acknowledgment by admitting that the South had belligerent rights. But *Vattel*, and all the best authorities on the law of nations, hold that when a civil war breaks out in a country that is firmly established, other nations have a right to deal with those two parties as belligerents, without acknowledging the independence of the revolted portion of the country. Admitting that the war has been established on such a footing that each party is entitled to be regarded by other countries as belligerents, the mere fact of our having acknowledged that those two parties are belligerents in the proper international sense of the word does not imply a step towards acknowledging one or other of them as an independent nation. Nobody can be insensible for a moment of the vast importance to this country of a speedy termination of this war. We all know the privations and sufferings which a great portion of our population are enduring, in consequence of that unfortunate war. But, on the other hand, it has been well put by an hon. Gentleman who spoke in this debate, that any attempt to put an end to it by active interference would only produce greater evils, greater sufferings, and greater privations to those on whose behalf interference had been attempted. There is no instance, I believe, in the history of the world, of a contest such as that which is now going on in America—a contest of such magnitude between two different sections of the same people. The Thirty Years' War in Germany was a joke to it in point of extent and magnitude. It was but the other day that I saw a map sent by the Quartermaster General of the Federal forces, on which were marked out the positions of 720,000 Federal troops—we now hear that 300,000 more men are to be called into the field—making one 1,000,000 of men on one side; and probably there is something not much less on the other. Irritation and exasperation on both sides are admitted by all who have taken part in the debate, and is that the moment when it can be thought that a successful offer of mediation could be made to the two parties? My hon.

Friend said, "I do not care for that; we had better offer mediation and let it be refused; and if that were followed by acknowledgment, that acknowledgment would ultimately lead to a satisfactory settlement between the two parties." I wish to guard myself against anything in regard to the future. The events of this war have been so contrary to all anticipation, from time to time, that he would be a bold man indeed who should attempt to prophesy from month to month what character the war would assume. I believe the country and this House are of opinion that the Government has, up to the present time, pursued a wise and prudent course. We should be too happy if any opportunity should present itself which would afford us a fair and reasonable prospect that any effort on our part might be conducive to establish peace between the two parties who are carrying on this desolating and afflicting contest; but I think that the House had better leave it to the discretion of the Government to judge of the occasions which may arise, and of the opportunities which may present themselves. It is upon that ground that, without going into any investigation of the rights on either side as to which may be right and which wrong—without expressing any judgment, because I think it is the duty of the Government of this country to abstain from expressing any judgment upon the two parties—I ask the House not to sanction this Resolution. If at any time we should be able by friendly offices to contribute to the establishment of peace, it can be only by presenting ourselves in the shape of impartial persons, not tied by opinions either one way or the other, anxious only to promote that settlement between the two which may be consistent with the feelings and interests of both. It is only in that way that we can render any service; and, in order to remain in that position, to enjoy that character, it is necessary that we should avoid pronouncing any judgment or opinion. I therefore do not follow the example of those who have expressed opinions upon the merits of the two parties. I only entreat the House not to adopt the Resolution of my hon. Friend, but to leave to the responsible Government the task of judging what can be done, when it can be done, and how it can be done.

MR. SEYMOUR FITZGERALD submitted whether it was not desirable that there should be an adjournment of the debate. He confessed that he never rose to address the House with a greater sense of responsibility than that with which he was then impressed—not because he presumed to suppose that any opinion of his was of greater weight than that of other Members, but because the words of every Gentleman who took part in this debate would be severely scanned in a community where the minds and judgments of men had been distorted and disturbed, and their passions roused by a contest which it would be difficult to parallel in the annals of the world. His hon. Friend (Mr. Lindsay) had been found fault with for bringing forward a Motion which, it was said, was likely to produce great irritation in America. Now, it appeared to him that fault was found with the Motion, not for what it was, but for what it was not. True, its wording had been altered from time to time; but that, at all events, showed that his hon. Friend had bestowed great care and consideration on the question, and that he desired to meet the objections which might be supposed to attach to it in its original shape; and it would be difficult to point out any particular in which the Motion better deserved commendation than from the extreme caution and moderation which now characterized it. His hon. Friend proposed that Her Majesty's Government should attempt mediation upon the ground that the Confederate States had long preserved a separate Government and shown a determination to maintain their independence; and he must say that until he heard the speech of the noble Lord, he should have thought it difficult for any one to disagree with the terms of the Resolution. The Confederate States had maintained not only a Government perfectly distinct from that from which they had separated themselves, but an established Government, with a recognised constitution, a President, a Senate, and House of Representatives duly elected, constituencies who exercised an independent choice, and elections freely conducted. They had not only a large army in the field, but for upwards of a year had maintained and paid a body of troops numbering not less that 300,000 men. He was not prepared to say that the present condition of affairs in America did not justify a very different course from that recommended by the hon. Member for Sunderland; but when the hon. Member (Mr. Forster) advocated a policy of strict non-interference, he would ask what circumstance could possibly justify interference if these did not—not a forcible or coercive interference, but a friendly mediation, tendered in the most respectful and friendly tone? Could anything more shocking be pointed out in history than the cruel warfare now being waged in America? They heard of father being arrayed against son, and brother against brother. But this was not all. The contest was a sanguinary one, such as it was impossible to parallel in modern times. It was said that the two armies had lately fought for seven consecutive days, and that in the last three days the killed, wounded, and missing amounted to upwards of 40,000. Numbers like these appeared almost incredible, yet there was reason to suppose that the accounts were not overcharged; and one statement in a Southern newspaper was that a Southern division, which on the fourth day went into action 14,000 strong could next morning only muster 6,000. Surely a friendly ally ought, at the earliest possible moment, to interpose, and by mediation try to stop so dreadful a contest. But it was not only on account of the state of things in America that we were called upon to interfere. He was struck with astonishment by what seemed the utter inability of Gentlemen of good information, and even the noble Lord himself, to realize the magnitude of the distress which was extending itself over great districts of the North of England. That there would be a want of employment in the cotton districts for a certain time was not all. A cotton famine was not like a corn famine. When the potato crop failed one year in Ireland or the wheat crop in England, there was always the prospect and the hope that in the year following the kindly fruits of the earth would be enjoyed in due season. But it was not so with the cotton crop. The cotton crop required large capital combined with skill and industry. In the cotton-producing States of America capital was destroyed; the system of servitude was destroyed; and even if peace were brought about to-morrow, it would be impossible to obtain that steady and ample supply of cotton which we had been in the habit of receiving. Then, again, although the patience and self-reliance of the population in the North of England were worthy of all praise, and though he believed that this self-respect and regard for order on the part of the bulk of the population would continue, was it quite certain that agitators might not find opportunities of spreading discontent, and that next winter might not be marked by as much social disorder as it was, unhappily, sure to be marked by social misery? He thought, then, that we should be wanting in our duty to our own population, as well as to humanity in general, if we did not step forward, and, by peaceful mediation, try to put an end to this odious contest. He was told that this course would have no effect unless it were followed up by forcible intervention, but he did not believe that this was a fair estimate of the effect of mediation. His hon. Friend proposed, not that this country should alone offer its mediation, or that we should recognise the South and afterwards call on the Federal Government to accept our good offices; but that, in concert with all our allies, we should express our conviction, as the result of careful observation of all that has been passing during the last eighteen months, that it was impossible that there should be any other issue to this war than a separation between North and South. Coupled with this there would be an attempt to enforce our conviction, not by arms, but by the whole weight of our moral influence and authority. He believed, that if we were to tender to the people of the United States our good offices to promote some terms of arrangement, it would have the best effect, because it would give to the sensible and moderate portion of the American people an opportunity of expressing opinions which were now overborne amid the din of war. A proof of this was afforded by what happened after the *Trent* affair, when, the first excitement having passed away, every moderate paper admitted that the North must be wrong, and must have exceeded their rights, since all the Powers of Europe declared that this was so, combining for the purpose from no motives of self-interest, but merely in defence of the law of nations. In the same spirit our object should be to induce not France only, or Russia, but Austria, Italy, and the other Powers of Europe to unite with us in an offer of mediation, and in counselling both parties to come to terms of compromise and reconciliation; and he felt sure that such advice, coming from the most enlightened nations of the world, united in the cause of peace and humanity, was such that no people, and least of all the people of the United States, could afford to disregard. Perhaps at first the North might be irritated by an offer of mediation; but he believed that they would ultimately listen with respect and deference to the collected opinion of Europe, and we should then enjoy the proud satisfaction of having contributed as far as we could to the attainment of so satisfactory an end. He did not know whether his hon. Friend the Member for Sunderland intended to take the responsibility of proceeding to a division, or the almost equal responsibility of withdrawing the Motion; but in his heart of hearts he so entirely agreed with it, that if his hon. Friend pressed the Motion, he should certainly support it by his vote. However this might be, he was sure that in the line now taken by the Government a more weighty and serious responsibility was incurred by them than had almost ever been incurred by any other Government in modern times. A policy of non-interference might be the part of prudence and of wisdom, or it might arise from indecision or from timid and divided councils. He did not know what course the Government might hereafter take; but he felt assured, that if they were only prepared to accept the responsibility of being the first to initiate in Europe the policy of inviting—in conjunction with the Powers of the Continent—the contending States of America to come to a settlement of their differences, they would have the satisfaction of knowing that they had taken a step which might have the effect of restoring peace to one hemisphere, and contentment and prosperity to the suffering people of another. Thus, without the expense of a single shilling, or the loss of a single human life, might they confer a great blessing on those who were our kindred. But whether they took that course or not, the hon. Member for Sunderland would have the gratification resulting from the fact that he had done his best by proposing, as they upon those benches would have the satisfaction of knowing that they had done their best by supporting, a Resolution which had for its object the restoration of peace between two contending parties, and which pointed to the only course which was compatible with our own honour and national interests.

Motion, by leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. HOPWOOD (who had given notice that it was his intention to move—

"That it is the duty of Her Majesty's Government to use every means consistent with the maintenance of peace, either in concert with the great Powers of Europe or otherwise, as they may think it expedient, to endeavour to terminate the civil war now raging in America,")

said, he did not feel disposed to take the course suggested for the adoption of the hon. Member for Sunderland, and withdraw his Motion. Very little had been said in the course of the discussion with respect to the distressed operatives of Lancashire and Cheshire, of whom 197,000 were working short time, while 58,990 were altogether without employment. [*Cries of* "Divide, divide!"] He was sorry to perceive the spirit in which those hon. Members who professed to be the friends of the operatives seemed inclined to deal with their case; but he should implore the Government, in the name of justice and charity, as well as in the interests of humanity, to take some steps to put an end to the misery which the unhappy struggle in America was creating, not only in that country, but our own. In his opinion it would have been the crowning act of a long and useful life if the noble Lord at the head of the Government had accepted the course suggested by the Resolution which had been moved by the hon. Member for Sunderland.

MR. LINDSAY said, that he would rest satisfied with the statement of the noble Lord at the head of the Government, and the hope which it held out that he would take the earliest opportunity to bring about a termination of the war, and would, with the permission of the House, withdraw his Motion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next, at Twelve of the clock.

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[BILL No. 207.]

CONSIDERATION.

Order for Consideration read.

SIR FREDERIC SMITH expressed a hope that the Secretary for War would not insist in forwarding this Bill a stage at so late an hour of the night (twenty minutes to one o'clock), especially as he had on a former occasion promised that full time for the discussion of its provisions should be afforded on the report.

Sir GEORGE LEWIS said, that the full discussion which he had said might take place on the report had come off a few evenings ago, when he had laid the amended schedule on the table.

Amendment made, by leaving out Proviso to Clause 2.

Another Amendment proposed, to add another Proviso,

"Provided always, That it shall not be lawful to apply any of such sums to any work not specifically named in the Schedule, nor to apply to any work any greater sum than that which is set down in the Schedule as the total estimated cost of the work, nor for Her Majesty's Principal Secretary of State for the War Department to enter into any contract involving the expenditure in any district of a greater sum than is hereby and by the Act of the twenty-third and twenty-fourth years of Victoria, chapter one hundred and nine, authorized to be expended during the period ending on the first day of August, one thousand eight hundred and sixty-three, without inserting in such contract a condition that the same shall not be binding on the said Principal Secretary until it has lain for one month upon the Table of the House of Commons without disapproval; and the said contract shall have no force or validity until it shall have lain for one month upon the Table of the House of Commons without disapproval, unless previous to the lapse of that period such contract shall have been approved by a Resolution of the said House."

Question proposed, "That those words be there added."

Sir FREDERIC SMITH said, he would move that the debate be adjourned.

Mr. SPEAKER said, that as the hon. and gallant Member had spoken once, it was not competent for him to make a Motion.

Mr. BERNAL OSBORNE: Then I will move that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."

Sir FREDERIC SMITH said, there were several errors in the schedule which he deemed it to be his duty to point out. The very first item involved an error of £16,000, the sum of £18,000 having been inserted instead of £2,000.

Motion put, and *negatived.*

Mr. HENNESSY said, there could be no doubt that the Government had made several blunders in the schedule; and as not a single word of explanation had been offered, he would move the adjournment of the debate.

Sir GEORGE LEWIS stated, that the addition of £16,000 in one of the items in the schedule had been made intentionally, in consequence of the necessity of providing for the compensation of the contractors. The other discrepancies which had been pointed out were not errors, and he should be prepared to defend them if a Motion were made for any alteration.

Sir FREDERIC SMITH submitted that the addition of £16,000 could not have been intentional, inasmuch as the last columns of the schedule, which contained the totals, did not correspond with the others. There were many other errors besides those he had pointed out. In the Vote for Fort Rowner there was an error of £5,000; in that for Fort Fareham there was an error of £7,000; in that for the Breakwater battery there was an error of £5,000. The schedule, in fact, was a mass of blunders, varying in amount from £2,000 to £7,000. In fifty-eight items there were no less than nineteen errors. This showed that the clerical department of the War Office must be in a wretched state. He thought the right hon. Baronet should be obliged to him for giving him an opportunity of substituting a correct schedule for an incorrect one. At all events, after the statement he had made, and seeing that he had still a good deal to say on the question of fortifications, he hoped the debate would be adjourned.

Sir GEORGE LEWIS said, the material consideration for the House was the sixth column, containing the amount proposed for works in 1862-3. That was the money which the House intrusted to the Government, and to which the Government were limited by a proviso inserted in the Bill. He considered himself bound by that column and by the further amount required to complete the works. It was true that in some cases the additions had not been correctly made across the columns, and he admitted that some reductions ought to be made in the first column, which contained the estimated cost of the works. But that would not make any alteration in the grant of money made by the House, though he would take care that the sums in the first column were reduced. He did not ask the House to make any alteration either in the amount granted or in that to be expended in future, which, after all, were the material columns. It was not his intention to oppose the adjournment of the debate until Monday.

Debate *adjourned* till *Monday* next.

LUNACY REGULATION BILL.

[BILL NO. 208.] CONSIDERATION.

Order for Consideration read.

Mr. BOVILL moved, in Clause 3, line 19, after "affairs," to leave out to the end of the clause.

Amendment proposed, in page 2, line 19, after "affairs" to leave out to the end of the Clause.

The SOLICITOR GENERAL opposed the Amendment.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided* :—Ayes 32; Noes 6: Majority 26.

Amendments made:—Bill to be read 3° on Monday next.

POLLING PLACES—NEW SHOREHAM, &c.

Mr. CAVE obtained leave to introduce a Bill to amend the law relating to polling places in the boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford.

Bill *presented*, and read 1°. [Bill 218.]

House adjourned at Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, July 21, 1862.

Minutes.]—Public Bills.—1ª Parochial Assessments; Charity Commissioners Jurisdiction; County Surveyors (Ireland); Excise Duties; Recovery of Poor Rates, &c.

2ª Companies, &c,

3ª Harbours Transfer; Salmon Fisheries (Scotland); Poor Relief (Ireland); Petroleum; Elections (Ireland); Gunpowder Act Amendment.

KENT COAST RAILWAY BILL.

THIRD READING.

Bill read 3ª, with the Amendments.

Lord CHELMSFORD called attention to the powers conferred by this Bill, and inquired whether their Lordships considered that the Board of Trade were entitled to exercise such authority, under a private Bill, as would issue in the granting of a complete monopoly, with respect to the harbour of Ramsgate, to a private company. The attention of the Steam Shipowners' Association had been called to the subject, and the Board of Trade had expunged the 6th clause, which especially bore upon this question, but by the 4th clause powers of a more extensive character were conferred than could have been exercised under the abandoned clause. Under the powers granted by this Bill the Kent Coast Railway Company would be entitled to run a tramway on to the pier at Ramsgate, and would practically obtain a monopoly of the harbour traffic. As the Bill was first introduced this clause was in the Bill, and in consequence the second reading was opposed by the Steamship Owners' Association; but upon a written undertaking being given by the Member who had charge of the Bill in the House of Commons that the clause should be expunged, the opposition was withdrawn. Subsequently, however, by an arrangement with the Board of Trade the same powers were given by the eleventh clause, upon the ground, he believed, that the proposed works were necessary, and that that Department had not funds to execute them. That, however, was no justification for a public Department handing over its functions to a private company, even were it the case; but that was not so—the Board had ample means from the rents, tolls, and accumulated capital derived from the late Harbour Commissioners. Two reports had been made to the Government on the subject; from the first of which, made by Sir John Rennie, it appeared that £7,000 a year would be sufficient to maintain the harbour in repair; but desires being expressed for further inquiry, Sir William Cubitt prosecuted one, and reported that the annual expenditure of £7,500 would be amply sufficient for the proper maintenance of the harbour, while the annual revenue derivable from various sources applicable to the keeping up of the harbour was £9,000. Under all the circumstances of the case he thought that their Lordships ought to pause before they agreed to pass the Bill as it stood. There was no ground whatever why the Board of Trade should transfer the powers it possessed over Ramsgate harbour to a private railway company, and he objected to the mode in which it was attempted to be done—namely, by the insertion of a clause in a private Bill instead of by bringing in a Bill for that purpose, which must needs attract the attention of Parliament. He was of opinion that the 11th clause ought not to stand part of the Bill, and therefore he should move that it be struck out.

Lord STANLEY of ALDERLEY said, that all the Board of Trade undertook to do was to oppose any clause which transferred the harbour to the railway company, and the Bill merely gave power to the Board of Trade and the railway company to construct such a tramway as the Board of Trade might think convenient for the public in coming down to the harbour. The opposition was chiefly got up by a steam-packet company, who desired to deprive the public of the advantage of going to Ramsgate by railway, in the hope that they would continue to go by water. That company appeared before the Committee, and were declared to have no *locus standi*, and he trusted their Lordships would affirm the decision of the Committee. To show that the Board of Trade had not the ample funds mentioned by the noble and learned Lord, he would state that the harbour had been a losing concern, and that it had cost the public £3,000 a year. There were, in truth, no funds available for making a tramway or other works. It would be doing great injustice if their Lordships rejected this clause, which the town council of Ramsgate had approved of, and to which no opposition at all had been raised. He would appeal to their Lordships to stand by their Select Committee and to retain the clause.

THE DUKE OF MONTROSE, as Chairman of the Committee, wished to say a few words on the subject. He entirely disagreed with the remark of the noble and learned Lord that the clause would transfer the harbour to a private company and create a monopoly. The Board of Trade was answerable to Parliament if it did anything detrimental to the public interests. Could any one say that enabling railway passengers to ride in their carriages to the pier was an act contrary to the public interests? Public steamers only could use the pier. The railway company possessed no steamers. The town was greatly in favour of the scheme, and the whole question resolved itself into this:—Should the Board of Trade put down this tramway themselves, or allow this railway company or any other company to do so? As regarded a breach of faith, he did not think that any had been committed.

LORD KINGSDOWN said, that being a shareholder in the company, he should be unable to vote on the question. He might, however, observe that the clause would only enable the Board of Trade to enter into an arrangement with this company or any other company for the laying down of a tramway.

THE EARL OF DONOUGHMORE said, that the Board of Trade, as trustees for the public, had no right to transfer their powers over any public property without coming to Parliament for such a purpose, and it was most objectionable that they should have done so by a clause in a private Bill.

EARL GRANVILLE expressed a hope that the House would give its assent to the clause, and support the unanimous decision at which the Select Committee to which the Bill had been referred had arrived.

LORD REDESDALE also recommended that the House should not overrule the decision of the Committee.

THE EARL OF DERBY said, he knew nothing more of the Bill than he had heard in the course of the debate; but having listened attentively to the discussion which had taken place, he was of opinion that his noble and learned Friend (Lord Chelmsford) was fully justified in bringing the matter before the House. A Bill containing such extensive powers ought to have been brought forward as a public measure. He hoped that his noble and learned Friend would not give their Lordships the trouble of dividing, and that the noble Lord opposite would consent to the addition of a proviso for the more effectual protection of the public.

LORD CHELMSFORD said, he would not press the Motion for the rejection of the clause; but he thought that they ought to add to it a proviso for the purpose of protecting the right of the public in that matter.

LORD STANLEY OF ALDERLEY said, that it would be a special duty of the Board of Trade to take the necessary steps for protecting the rights and interests of the public.

Amendment (by leave of the House) *withdrawn;* Bill *passed,* and sent to the Commons.

ACTS OF UNIFORMITY.—PETITION.

LORD EBURY said, he rose to present a petition to which their Lordships' House would, he was sure, pay due respect, not only on account of the high position of the individuals who had signed it, but also from their being peculiarly well qualified to understand and appreciate the grievance they complained of. It was a petition from

Fellows and Tutors of Colleges at the University of Cambridge, stating that in their opinion the provisions of the Act of Uniformity of Charles II., requiring a declaration of conformity to the Liturgy before admission to a fellowship, was injurious and ought to be repealed. The petition was signed by seventy-four Fellows and Tutors of Colleges. The petitioners respectfully called attention to the provision of the Act of Uniformity of 1662, which required all Fellows of Colleges to make a declaration of conformity to the Liturgy. Up to the year 1856 a University statute, passed as long ago as the reign of James I., compelled every graduate to make a declaration of membership; but in the year 1856 the Universities Act was passed, which broke down the barriers to the education of Nonconformists in these ancient foundations, permitting all degrees, except those in theology, to be granted without any religious test, and scholarships to be held. It appeared as if the framers of the Universities Act had made an oversight in not repealing this provision of the Act of Uniformity, because in those colleges where, by their college statutes, a declaration of conformity was required (and there are some in which no such declaration is required), that Act gave power to the college to relax that restriction. A willingness to enter into a declaration of conformity was, no doubt, a passport to a social position and to the emoluments of those wealthy foundations; but it did not appear to be by any means a Royal road to academical distinctions, inasmuch as, out of proportionably a small number of Undergraduates, the senior wranglership was won both in 1860 and 1861 by a Nonconformist; and the House could not be surprised if the tutors who had instructed and prepared them, entertaining a respect both for their conduct and abilities, regretted that these distinguished young men could not be retained for the ornament and advantage of the University. The House would remark that this was no attempt on the part of Nonconformists to obtain additional privileges, but a spontaneous act of a distinguished body of Churchmen, who felt and declared the injury produced by the present restrictions. He was happy to say that a right hon. Friend of his, who had presented a similar petition in the House of Commons, had given notice of his intention to propose legislation upon the subject.

COMPANIES, &c. BILL—[BILL No. 132.]

SECOND READING.

THE LORD CHANCELLOR, in moving the second reading of this Bill, explained that similar measures had been introduced in 1858, 1859, 1860, and 1861, but from various causes had not passed the Commons, although they had been agreed to by their Lordships. This year, however, he had thought it more desirable to commence in the House of Commons, where the measure had been maturely considered before coming up to their Lordships. The great difficulty hitherto had been to provide facilities for the formation of companies, combined with proper safeguards, and another difficulty was to provide in a satisfactory manner for winding-up and dissolution. Another circumstance was that there were many statutes upon the subject, some of which were found difficult of construction and even conflicting, and with the whole of the matters to which he had referred this Bill dealt.

Bill read 2^a, and *committed* to a Committee of the Whole House on *Thursday* next.

PARKHURST PRISON.—QUESTION.

VISCOUNT DUNGANNON rose, according to notice, to call attention to certain recent Occurrences at Parkhurst Prison; and to inquire whether full Information has been received on the Matter by Her Majesty's Government; and, if so, what Course has in consequence been adopted? The facts were shortly these. Some time ago one of the warders was assaulted in Parkhurst by one of the convicts, and he remained for some time in a dangerous state in consequence of the injuries he received. As far as he could ascertain, no punishment had been inflicted on the man for that assault. About six months ago another warder was assaulted by several convicts, in consequence of which he had to resign his situation, and soon afterwards died, leaving a widow and children. No steps had been taken to punish these men; and when the period of their sentence had expired, they were let loose upon society. Application was made on behalf of the widow and children of the warder to the directors of the prison for compensation; but that application was made in vain. He thought this was a state of things which required to be amended, and he hoped the noble Earl would give a satisfactory answer on the subject.

Earl GRANVILLE was understood to say, that he was not then in a position to give the noble Lord such an answer as would be satisfactory to him, but would make further inquiry on the subject.

WORKS ON THE SHANNON.—QUESTION.

The Earl of LEITRIM asked, If it is the Intention of the Lords Commissioners of the Treasury to advance Money to the Board of Public Works in Ireland, to enable the Board to finish the Works on the Upper Shannon, which were omitted, or were only partly executed, by the Shannon Commissioners?

Earl GRANVILLE was understood to say, that it was the intention of the Government to appoint some competent gentleman to inquire into the circumstances of the case, but upon the distinct understanding that Her Majesty's Government did not thereby pledge themselves to advance any money to the Board of Public Works in Ireland.

House adjourned at half-past Seven
o'clock, till To-morrow,
Eleven o'clock.

HOUSE OF COMMONS,

Monday, July 21, 1862.

Minutes.]—Public Bills.—1° Elections during Recess.

2° Militia Ballots Suspension; Court of Common Pleas (Officer for Acknowledgment of Deeds); Mutual Surrender of Criminals (Denmark).

3° Lunacy Regulation; Turnpike Acts Continuance.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SUPERANNUATION ALLOWANCES.

OBSERVATIONS.

Mr. AUGUSTUS SMITH called attention to the enormous amount to which the superannuations had of late years run up. It is true that they were asked to Vote this year only £185,000; but it appeared, by a Return moved for by the hon. Member for Lambeth, that the real amount which the House was paying away under the head of pensions and superannuations in the public offices was £874,000; but that did not include all the superannuations; for by account No. 56 it appeared there were heavy items for retiring allowances, compensations, &c., amongst which there was £10,000 for the Woods and Forest Departments; £447,000 under the head of Excise, Customs, Stamps, and Taxes; £687,000 for Civil Allowances; £121,000 for the Probate Act, &c.; being in the whole about £1,200,000. To this was to be added the charge for non-effectives for the army and navy, and it would be found there were altogether granted out of the revenue for non-effective services no less a sum than £5,500,000. He was quite sure that the time must come when Parliament would have to take the question up with a view to put some check on the enormous expenditure which was now going on from year to year under the head of superannuations.

Sir HENRY WILLOUGHBY believed, that the amount would be found to reach nearer £7,000,000 than £6,000,000. The truth was, law reform was a frightful subject to promote, inasmuch as it involved always an enormous burden upon the country for compensation and allowances. He wished the Chancellor of the Exchequer to explain how the last China Vote, extending to about £1,000,000 differed from the other Votes of Credit passed in the years 1859, 1860, and 1861. It appeared to him that a considerable expenditure had taken place without the direct authority of this House. Where, he asked, would be the objection to place on the table Estimates of the extraordinary expenses of the naval and military armaments in China up to the Treaty of Pekin, so that the House would have a clear view of the extent of the burden thrown upon the country? He further wished to know up to what date the Indian accounts for that war had been balanced.

Sir GEORGE LEWIS said, the system of accounting for the Indian army would be changed this year. A new arrangement had been made, by which the system of making advances without the authority of Parliament, which was previously practised, would be changed. With regard to the precise point up to which the accounts had been balanced, he was unable to say without inquiry.

Mr. PEEL said, he was not aware that a different principle had been acted on this year in respect to Votes of Credit for China than had been previously pursued.

IRON-PLATED SHIPS.—OBSERVATIONS.

Sir FREDERIC SMITH wished to call the attention of the Secretary to the Admiralty to the reply of Rear Admiral R. S. Robinson to question No. 629, put to him by the Commissioners on the National Defences on the 28th of April; and to ask him, whether any experiments had been made to ascertain the power of resistance of 5½ inches of iron backed by 9 inches of teak to the heaviest guns. He wished also to ask the noble Lord whether the attention of the Admiralty had been called to the fact that the French were plating their iron ships with thicker metal at the water-line?

Lord CLARENCE PAGET said, that experiments had been made of the nature in question, and in a few days the Iron Plate Committee would make a Report, giving the result. When that Report was received, he should be better able to answer the question of his hon. and gallant Friend. The Admiralty were alive to the fact that some of the French vessels were being constructed of thicker metal at the water-line than elsewhere, and the Admiralty were, to a certain extent, adopting the same plan.

UNITED STATES—THE CIVIL WAR. BRITISH INTERESTS AT NEW ORLEANS.

OBSERVATIONS.

Mr. SEYMOUR FITZGERALD wished to call the attention of Her Majesty's Government to the unprotected state of British Interests at New Orleans. While the Spaniards, the French, and almost every other maritime nation, had a frigate or vessel of War at New Orleans, no British frigate was to be found there, and the Government of this country was the only Government that was unable to give protection to the life and property of its subjects at New Orleans at the present moment. It unfortunately happened, also, that there was no British Consul at New Orleans at present, Mr. Mure, Her Majesty's Consul, being now in this country and suffering from ill health, and his duties were being performed by Mr. Coppell, who was, no doubt, a very respectable gentleman, but who did not appear to be armed with the credentials necessary to render his efforts as Vice Consul effective. During his absence General Butler issued a very extraordinary general order requiring every foreigner who had resided five years and upwards in Louisiana, and who had not within the term of sixty days taken out what he called the "protection" of his Government, to proceed forthwith to take the oath of allegiance to the United States Government, under the penalty of being debarred from every protection that would be given by the United States Government, with the single exception of protection from personal violence. Mr. Coppell, the acting British Consul, thereupon addressed the following letter to General Butler:—

"British Consulate, New Orleans, La.
"June 14, 1862.

"Sir,—I beg to inform you that great doubt exists in the minds of British subjects, who, under the provisions of your Order No. 41, are called upon to subscribe the oaths therein set forth, as to the consequence of compliance with the behests of that order. I would therefore respectfully request that you will inform me whether the oath prescribed in the first instance is intended, or in your understanding can be construed to affect the natural allegiance they owe to the Government of their nativity. Objections have also been very generally urged against the oath prescribed to duly registered aliens on the ground that it imposes on them (in words, at least) the office of spy, and forces them to acts inconsistent with the ordinary obligations of probity, honour, and neutrality. Hoping that I may receive such explanations as may obviate the difficulties suggested, I have the honour to be, Sir, your obedient servant,

"George Coppell,
"Her British Majesty's Acting Consul."

Mr. G. Coppell received the following answer:—

"Head-quarters, Department of the Gulf,
"New Orleans, La., June 14, 1862.

"Sir,—I am directed by the Major General Commanding to inform you that no answer is to be given to the note of George Coppell, Esq., of this date, until his credentials and pretensions are recognised by his own Government and the Government of the United States. All attempts at official action on Mr. Coppell's part must cease. His credentials have been sought for, but not exhibited.

"I have the honour to be your obedient servant,
"P. Haggerty, Capt. and A. A. G."

It was therefore assumed that the acting British Consul had no credentials from his own Government, and that he was not recognised by the Government of the United States. The British residents were thus not only left without the protection of a ship of war, but there was no person of recognised official *status* who was permitted to represent them in communications to the Federal General. The amount of British capital at stake in the city of New Orleans was greater than that in almost every other city in the United States, and in the existing state of things serious events might arise which might bring the two Governments into direct collision. It was therefore most important that the Government should take immediate steps either to restore Mr. Mure to his post, or, by direct communication with the United States Government, to take care that English interests were rerepresented in New Orleans, so that the representations of British subjects should not be treated as they had been by General Butler.

Sir JAMES FERGUSSON said, that last autumn the representatives of British interests at three of the most important cities of the Confederate States, New Orleans, Richmond, and Savannah, were absent from their posts. As the manner in which the Federal generals had treated British subjects had been adverted to, he trusted that the House would not forget the very different mode in which the Confederate Government had behaved to British subjects. Her Majesty's Government had refused to recognise the independence of the South; yet the Confederate Government had extended every possible protection to British subjects, while the Government of the United States, when it regained its authority in any part of the territory of the South, refused to give any redress or protection to Her Majesty's subjects.

Mr. LAYARD regretted he was not able to furnish the right hon. Gentleman with as much information on the subject as he should have been able to do if he had received timely notice of his intention to put the question. He (Mr. Layard) had come down to the House that morning upon the understanding that they were at once to go into Committee of Supply, and to discuss the remaining Votes of the Civil Service Estimates. He could not, however, admit what the hon. Gentleman seemed to assume, that Her Majesty's Government had neglected the interests of British subjects in the United States, because not only had the Government in England given a careful consideration to this subject, but it had also occupied the attention of Lord Lyons at Washington. An order had been given at an early period for a British vessel of war to go to New Orleans; but from causes which it was unnecessary to mention, that order had not been carried out. A French vessel of war had, however, rendered every assistance to British subjects. Mr. Seward had expressed his regret at what had taken place, and pending the return of Mr. Mure, who had been extremely ill, the position of Mr. Coppell, who appeared to have acted very judiciously, had been recognised by the United States Government, and his credentials as Vice Consul had been forwarded to him. He could assure his hon. Friend that Her Majesty's Government would continue to give the most anxious consideration to the protection of British interests in the United States.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Mr. Massey in the Chair.

The following Votes were *agreed to*:—

(1.) £184,706, Superannuations, Allowances, &c.

(2.) £812, Toulonese and Corsican Emigrants, &c.

(3.) £325, Refuge for the Destitute.

(4.) £3,062, Polish Refugees and Distressed Spaniards.

(5.) £58,700, Pensions to Masters and Seamen, Merchant Service.

(6.) £20,400, Distressed British Seamen Abroad.

(7.) £3,726, Miscellaneous Allowances.

(8.) £2,539, Treasurers of Public Infirmaries (Ireland).

(9.) £2,600, Westmoreland Lock Hospital (Dublin).

Mr. W. WILLIAMS objected to the ratepayers of this country being taxed to support an institution of this character in Ireland. We had hospitals all over England, but for the support of none of them was any demand made on the public purse.

Colonel DUNNE thought the complaint of the hon. Member could scarcely be sustained, when £5,000,000 were voted for the fortifications, from which Ireland was to get no benefit whatever.

Vote *agreed to*; as were also the following:—

(10.) £700, Rotunda Lying-in Hospital (Dublin).

(11.) £200, Coombe Lying-in Hospital (Dublin).

(12.) £7,600, Hospitals of the House of Industry (Dublin).

(13.) £2,500, Fever Hospital, Cork Street (Dublin).

(14.) £600, Meath Hospital (Dublin).

(15.) £100, St. Mark's Ophthalmic Hospital (Dublin).

(16.) £1,300, Dr. Steevens' Hospital (Dublin).

(17.) £245, Board of Superintendence of Hospitals (Dublin).

(18.) £9,034, Charitable Allowances on Concordatum Fund.

(19.) Motion made, and Question proposed,

"That a sum, not exceeding £39,747, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland."

MR. HADFIELD moved to reduce the Vote to £366, being the sum paid since 1804 to the fund for supporting the widows and orphans of ministers of the Synod of Ulster. The hon. Member proceeded to address the House in favour of the voluntary system.

MR. DAWSON supported the Vote, and contended that there was a comparative cessation of agrarian and other crimes where Presbyterians preponderated. This Vote was a very ancient one, and was given as a substitute for the tithes, in which the Presbyterians had a share, on the settlement of Ulster. He trusted therefore that the Committee would not be guilty of the injustice of withdrawing the Vote.

MR. FRANK CROSSLEY regarded this grant as worse than useless to the parties to whom it was given, as it induced them to rely upon the State to do that which they were well qualified, and with better profit, to do for themselves. It was a wrong also to the people of this country that they should be taxed to support a ministry with whom they had no connection whatever; and, in fact, the grant could not be justified on any ground whatever, the Presbyterians of Ireland being the most wealthy part of the community.

SIR ROBERT PEEL was ready to admit that the Presbyterians of Ireland were a wealthy body, and they contributed largely to their religious charities; but he believed that this Vote had rather a political tendency than a religious one. The Presbyterians were a most loyal and meritorious body, and there was no doubt that these grants had been made to them for their loyalty to the Sovereigns of this realm. It would be unnecessary to enter into a political discussion upon the Vote; but he felt satisfied that the Committee would adhere to the Resolution which had been adopted from year to year, and that this sum, which for a vast number of years had been given to the Presbyterian body in Ireland, would not be withdrawn. His hon. Friend the Member for Sheffield was a consistent advocate of the voluntary system: but he trusted he would not press his Motion to a division.

SIR HERVEY BRUCE said, that the hon. Member for Sheffield (Mr. Hadfield) had used no arguments in favour of his proposition, except those which he had so repeatedly urged against the principle of the Government in any way interfering in giving any religious instruction at all to the subjects of Her Majesty. He regretted to hear the right hon. Baronet the Secretary for Ireland say that this was a political question. He (Sir H. Bruce) denied that assertion, and insisted that it was purely a religious question.

MR. W. WILLIAMS considered that the right hon. Baronet had put the question on its true basis. This was a grant for bribing the Presbyterians of Ireland. [Sir ROBERT PEEL: I did not say that]. That was the meaning of what the right hon. Baronet said. The Presbyterians were paid for being loyal; but there was not, he believed, a disloyal man in England; and if the Vote were granted to the Presbyterians for their loyalty, it was time it should cease.

LORD FERMOY drew a contrast between the Presbyterians and the Roman Catholics in Ireland—the former being a rich, powerful, and, excepting so far as this grant was concerned, an independent body; the latter the poorest classes in the country, although the great majority of the population, maintaining a large and expensive hierarchy, building their own churches and cathedrals upon the purely voluntary system. If the Amendment raised the whole question of the Church endowments in Ireland, he should certainly vote with the hon. Member for Sheffield. But the fact was, that so long as the State established one Church in Ireland, and that of the minority, it would be necessary to maintain the *Regium donum* in Ireland in order to bribe the loyalty of the Presbyterians of Ulster. Sooner or later the whole question regarding this anomalous state of things must be raised, and a more just and equitable arrangement arrived at.

Colonel FRENCH thought that the hon. Member for Sheffield, himself a Dissenter, who had proposed to withdraw this Vote from the Irish Presbyterians, might have left them to judge for themselves. They did not object to the Vote.

Motion made, and Question put,

"That a sum, not exceeding £366, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland."

The Committee *divided*: — Ayes 16; Noes 58: Majority 42.

Original Question put, and *agreed to*.

The following Vote was then *agreed to*:—

(20.) £3,750, Ecclesiastical Commission.

(21.) £15,788, Temporary Commissions.

Mr. AUGUSTUS SMITH wanted to know what were the duties of the Fine Arts Commission, for which £880 was proposed to be voted. He moved the reduction of the Vote by that amount.

Colonel FRENCH asked for information respecting the purchase of the portrait of Mrs. Siddons for 1,000 guineas.

Mr. COWPER said, that the portrait referred to had not been purchased by the Fine Arts Commission, but by the Trustees of the National Portrait Gallery. With regard to the Fine Arts Commission, it was due to this Commission that a school of fresco painting had been established in this country which did not before exist. The frescoes in the Houses of Parliament might not be all that could be wished, but they were a great improvement on any previous works of this kind produced by English artists. The spaces to be occupied by works of art were now nearly filled; and as the labours of the Commission were rapidly approaching a close, the Commission would soon cease to exist.

Lord HENRY LENNOX said, that there were nine or ten lancet windows just opposite Mr. Maclise's fine picture of the meeting of the Allied Generals, which windows were filled with red, yellow, and green glass. The consequence was that at one moment the Duke of Wellington appeared to have been indulging in strong potations, while at another the illustrious hero seemed to have just returned from a sea voyage in very rough weather.

Mr. COWPER said, that a blind had been placed outside this painted window to mitigate the intensity of the light passing through the coloured glass; and which would, he believed, to some extent effect that purpose. This blind had not, it appeared, been used for the last two or three days; but he would give directions which would obviate the well-founded complaint of the noble Lord.

The CHANCELLOR of the EXCHEQUER said, if the Commission were wound up, it was not on the ground of their labours being undervalued, but of the Commission having really terminated the business for which they were appointed.

Mr. HADFIELD wished to know what had been determined upon in regard to two statues in which he felt interested —the statues of John Bunyan and Oliver Cromwell.

Mr. COWPER trusted that his hon. Friend would not revive a discussion as to the merits of Oliver Cromwell, since they were not involved in the Vote before the House. The Estimates this year already voted included a statue of William III. and another of Queen Anne, and beyond that nothing had been done or proposed to the House. Any further decisions in regard to these statues had been postponed to next year.

Mr. SPOONER protested against the public money being voted in statues of this kind. The funds for such purposes ought to be raised, if at all, by private contributions.

Mr. AUGUSTUS SMITH complained that the Secretary of the Mines Inquiry Commission had practically been appointed by the noble Lord at the head of that Commission, and wished to know why he had not been nominated, as usual, by the Home Office.

Sir GEORGE GREY said, that no complaints of the inefficiency of the Secretary had reached him. It was not unusual to leave the members of a Royal Commission to nominate their Secretary.

Lord ALFRED CHURCHILL moved to reduce the Vote for the West India Encumbered Estates Commission (£2,037) to the sum voted last year—£750.

Mr. PEEL said, that several additional West India colonies had applied to have the Act extended to them, and that the salary of the Chief Commissioner had therefore been increased from £500 to £1,000. It was in contemplation to charge a commission on the sale of estates, so as to reduce the burden of this Vote.

Amendment, by leave, *withdrawn.*

Vote *agreed to.*

(22.) £29,088, Patent Law Amendment Act.

MR. W. WILLIAMS drew attention to the fact that the sum of £9,166 10*s.* was paid in fees to the Attorney and Solicitor General for signing certain documents connected with patents.

MR. SEYMOUR FITZGERALD called attention to certain items, under Schedule E, by which it seemed that £12,000 a year was paid to the Attorney General for Ireland, and £800 a year to the Solicitor General for Ireland as compensations, and said he thought the large sums set down justified a call on the Government for some explanation.

MR. PEEL stated, that the whole question of the Patent Laws was now under the consideration of the Government. He was not acquainted with the origin of those cases of compensation alluded to; but would make inquiry into the subject.

MR. DARBY GRIFFITH said, that the item pointed out by the hon. Member for Lambeth was a flagrant abuse of an indefensible source of revenue to the Law Officers of the Crown. There was no reason why the salary of the Attorney General, derived from such sources, should be double that of the Lord Chancellor. As guardians of the public purse, they were bound to require explanation of the large sums paid to these Law Officers for merely nominal duties.

SIR DAVID DUNDAS said, that since he had the honour to be Solicitor General the Patent Laws had been altered. He did not know the present duties of the Law Officers of the Crown in this respect, but they had no more onerous or anxious duties at the time of which he spoke than those connected with patents. They had not merely to sign their names, as was sometimes represented, but had often to deal with matters of great delicacy and difficulty.

Vote *agreed to.*

(23.) Motion made, and Question proposed,

"That a sum, not exceeding £15,764, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Salaries and Expenses of the Board of Fisheries in Scotland."

MR. W. WILLIAMS said, he had authorities to show that the herring fishery in Scotland was never in a more prosperous position than it was at present, and therefore thought it high time to get rid of this expense to the country. He should move to reduce the Vote by £12,555 13*s.* 4*d.*, the remainder being an item for pensions of officers employed in the Fishery Board—a sum he should not oppose, believing it would be a great hardship to those officers to withhold it.

MR. FINLAY defended the Vote. If the present superintendence of the fisheries were abandoned, the French seamen would come over and drive our own fishermen away, at the risk of collision and disturbance. The inspectors and officers of the Board rendered great services, and the amount of the Vote was inconsiderable when the magnitude of the interests concerned was taken into account.

Motion made, and Question put,

"That a sum, not exceeding £3,208 6*s.* 8*d.*, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Salaries and Expenses of the Board of Fisheries in Scotland."

The Committee *divided:* — Ayes 16; Noes 66: Majority 50.

House *resumed.*

Resolutions to be reported *To-morrow,* at Twelve of the clock; Committee to sit again *this day,* at Six of the clock.

THE WAR IN CHINA AND THE CAPE MAILS.—QUESTION.

SIR MORTON PETO said, he wished to ask, Whether a report which was generally current in the City, that a request has been made for 8,000 troops to be sent from India to China, is true; and also what the Lords of the Treasury are doing with respect to the Contract for the Mails to the Cape of Good Hope?

SIR CHARLES WOOD said, he could only say, in reply to the first Question, that he had not even heard of the rumour referred to by the hon. Member.

MR. PEEL said, with respect to the second Question, the Treasury were of opinion the Contract ought not to be renewed unless the colony, like that of Australia, agreed to defray one-half of the net loss.

BRITISH TROOPS IN CANADA.

QUESTION.

SIR JAMES FERGUSSON said, he rose to ask the Secretary of State for War, Whether any provision has been made for the wives and families of the soldiers sent out to Canada?

SIR HENRY STRACEY said, he wished to inquire, Whether, in consequence of the rejection of the Militia Bill by the Canadian Parliament, Her Majesty's Government have taken, or are prepared to take, any steps either to support the 12,000 British troops sent to Canada, or to withdraw them?

SIR GEORGE LEWIS said, with respect to the first Question, arrangements had been made to allow lodging-money to the wives and families of the British soldiers in Canada. They were expected there, and he understood that provision would be made for them on their arrival. In reference to the second Question, he had to state that, as the hon. Baronet was aware, reinforcements had been sent out to Canada in consequence of the condition of the relations between this country and the United States during the winter, and it was not the intention of the Government to withdraw any of those troops at present, or to take any steps to carry such a proceeding into effect. On the other hand, there was no immediate intention of sending out any further reinforcements.

THE ARMSTRONG GUNS.—QUESTION.

MR. H. BERKELEY said, he rose to ask, When the Returns which he had moved for five months back, and respecting which he had inquired twice since, relative to the expense of Armstrong Guns, will be laid upon the table?

SIR GEORGE LEWIS replied, that a Committee was sitting on the subject, and they were obtaining full information as to the expense of the Armstrong and other guns. Under these circumstances, he had not thought it necessary to make any specific return to the hon. Gentleman's Motion, as he felt the Report of the Committee would furnish all the information required by his hon. Friend.

DISTURBANCES IN SERVIA.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether, as stated by the *Pays*, the Turkish Government is preparing to march Troops into the Servian territory; and also whether a Turkish war vessel has ascended the Danube bound for Belgrade, and towed and assisted by an Austrian Steamer; and, if so, whether such proceedings meet with the support and encouragement of Her Majesty's Government; and whether it is the case, that on the evening of the 16th day of June the Pacha of the Fortress of Belgrade, the Servian Prime Minister, and the Consuls of England, France, Austria, Russia, and Prussia, signed an agreement for the suspension of hostilities then occurring, and that, nevertheless, the fortress bombarded the town for four hours, at nine o'clock on the morning of the 17th day of June; and that the English and other European Consuls had formally protested against that act as a breach of good faith?

VISCOUNT PALMERSTON: We have no information on the first point mentioned by the hon. Gentleman, namely, the entrance of Turkish troops into Servian territory; but I apprehend that if the Turkish Government thought proper to send troops into Servia, they have a perfect right to do so. With regard to the transactions at Belgrade, there was an arrangement made by the consuls which it was hoped would have put an end to hostilities between the citadel and the town; but acts of aggression on the part of the people of the town, such as shooting an officer bearing a flag of truce, and a fire of musketry on the works, had led to a resumption of the fighting.

MR. DARBY GRIFFITH said, he must complain that the noble Lord had not answered his Question, which was, whether the protest stated to have been signed by the Consuls was genuine.

VISCOUNT PALMERSTON: We do not make ourselves answerable for reports in public newspapers, but we have had from time to time reports from the Consuls there. Still we are not in possession of all the circumstances which took place and the causes which led to hostilities. No doubt the Consuls did their best to interpose and restore peace.

MR. DARBY GRIFFITH said, he must repeat that his Question was unanswered, which was, whether the English Consul had not entered a protest against the proceedings.

Afterwards, on going into Committee of Supply, Mr. **DARBY GRIFFITH** said, he hoped the noble Lord at the head of the Government would now answer the Question which he had put to him at an earlier period of the evening, namely, whether our Consul had formally protested against the bombardment of the town of Belgrade on the 17th of June. The hon. Member read the following protest presented to the Turkish Governor Pacha of Belgrade by the Consuls General of England, France, Russia, and Prussia:—

> "The Governor Pacha of Belgrade having ordered the bombardment of the city without previous warning, after having, it is true, convoked the consular corps, but without having heard them, and when every one had the right to confide in the convention passed with the Servian Government in the presence of all the members of the consular corps—the undersigned leave to him the responsibility of an act so contrary to the principles of the law of nations; and, after having protested in the most formal manner, they can but await, in the bombarded city, the fate which may overtake their countrymen, until the moment when the orders of their respective Governments arrive."

He wished to know whether this document was genuine.

Viscount **PALMERSTON** rose to answer; but

Mr. **SPEAKER** reminded the noble Lord that he had already spoken on the Main Question.

THE WAR IN CHINA.—QUESTION.

Mr. **SEYMOUR FITZGERALD** said, he wished to ask the Secretary of State for India, Whether there is any truth in the painful rumour current to-day that the Government are in receipt of information that our troops have sustained some serious reverse in China?

Sir **CHARLES WOOD** replied, that nothing had been received in his Department, nor, as far as he was aware, in any other Department of the Government, on the subject.

THE CHANNEL MAILS.—QUESTION.

Mr. **H. BERKELEY** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the contract with Mr. A. G. Churchward for carrying the Continental Mails between Dover and Calais and Dover and Ostend has been transferred by that gentleman to any other person or Company; and whether such transfer, if made, has received the sanction of Her Majesty's Government?

Mr. **PEEL** replied that he was not aware of any such transfer having been made, and the contract expressly provided that none such should be made.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NATIONAL GALLERY.

COMMISSION MOVED FOR.

Lord **ELCHO** rose, pursuant to notice, to move an Address to Her Majesty that She will be graciously pleased to issue a Royal Commission to inquire into the present position of the Royal Academy in relation to the Fine Arts, and the circumstances under which it occupies a portion of the National Gallery. He did so because he looked upon the subject as of very considerable importance, and because, in the absence of more exciting topics, the present time seemed well fitted for its consideration. The question of the accommodation of the national collection of pictures was one which had frequently occupied the attention of Parliament. The combination of the national collection with the Royal Academy in the same building had led to a great want of space, and there had been frequent Votes of the House to remedy the deficiency; but, notwithstanding, there still remained a lack of accommodation for the national collection of pictures. With the money so voted the pictures might have remained well hung in the present buildings, had it not been for the recent legal opinion given relative to the Turner bequest. The late Mr. Turner left a collection of pictures, his own works, to the nation, upon condition that they were to form a distinct portion of the national collection. The pictures had been exhibited at Kensington, and in Marlborough House; but it had recently been said that unless those pictures were removed and hung in accordance with the terms of Turner's will in the National Gallery, the bequest to the nation would be invalid. In consequence, this large collection of pictures had been suddenly thrown into the National Gallery, and had been hung without attention to propriety. Next year, consequently, Parliament must decide what was to be done with the National Gallery. Great difference of opinion existed as to where the National Gallery should be situated. Some years ago no less than thirteen different sites were suggested. A Royal Commission was appointed on the matter, and they reported in favour of its remaining in London, and in the present building. Next year the House would have to determine one of two things—whether the pictures in the National Gallery should be removed elsewhere, or whether the Royal Academy should leave the National Gallery to make room for them. Now, although strongly in favour of retaining the National Gallery in London, he doubted whether the best course, in the interest of the pictures, would not be to remove them from the present building to Burlington House—whether that would not be preferable even to removing the Royal Academy. That, he thought, would be the most economical course, while the situation would have all the advantages of being central. With regard to Burlington House, they could build it back from the present front without running into what the right hon. Gentleman might call "bloated Art Estimates," and thus be able to accommodate the national collection. As to the question of space, he found that the present area of the National Gallery was 13,000 feet, exclusive of the new rooms. There was a similar amount of space in the Royal Academy, so that there would be together 26,000 feet of space, and the new rooms would augment the area to from 30,000 feet to 40,000 feet. If they could get the workhouse at the back and the barracks—though it was questionable whether they would be able to get the barracks — there would be 165,000 feet of ground. But it must be borne in mind that the purchase of the workhouse and barracks, and the consequent enlargement of the present building, would involve an excessive outlay; while at Burlington House there was already a large building and a space of 150,000 feet at once available for the national collection of pictures. He could not, then, help thinking that it might be best to leave the Royal Academy where it was, with a condition that they should improve the building, and perhaps also the fountains in Trafalgar Square. The Royal Academy were first located in Somerset House, and afterwards removed to the present building, the National Gallery; and in 1839 the then Chancellor of the Exchequer, Mr. Spring Rice, now Lord Monteagle, distinctly stated that the Royal Academy occupied the building without any legal right of property, and subject to the risk of being removed whenever public convenience might render such removal expedient. He further said, that though their occupation of Somerset House had given them a moral right to accommodation, it would not do to convert that moral into a legal right. With reference to Academies in general, many persons were of opinion that these institutions, instead of being beneficial to Art, were very injurious. Such was rather the opinion expressed by the Committee of 1836, who said that Academies rather tended to fetter genius by introducing a sort of mannerism in Art. The Royal Academy had practically a monopoly of Art in this country, and it would be something Quixotic to attempt to break it down. He therefore treated the Academy as a great fact, and it was in that spirit that he approached it with a view to its improvement, and to make it generally useful in the promotion of Art. The Academy originated about a century ago out of a split amongst the artists of that day, and it was incorporated by George III. under a Royal instrument. It originally consisted of forty Academicians and nineteen Associates, and five Honorary Associates. The exhibition of their pictures was originally intended to be free; but shortly after its establishment a shilling admission was charged, in order, it was said, to exclude improper persons; and that fee had continued to be charged. The sums received since 1769 to 1859 amounted to £267,583; and the receipts from all sources amounted to £384,680. The sums spent in instruction, in the purchase of books, prints, pictures, &c. amounted to £218,469, and in relief of distressed artists and their families to £61,511, leaving a balance in favour of the Academy of £104,000. That was up to 1859. In the last three years probably a sum of £11,000 a year had been added to that amount. So that the Academy should have a balance of £130,000 or £140,000 at its banker's. The number of students between 1769 and 1859 was 2,774, or an average of thirty per annum; and during that time there had been twenty-two travelling students, at a cost of £78 per annum each student. The Royal Academy, therefore, combined four things—it was an academy of honour, an academy of exhibition, a charitable institution, and a school. There had been great complaints as to the management and conduct of the institution. Such men as Martin and Haydon formerly, and Watts and Holman Hunt in the present day, were not members; and great favouritism and cliquism had always been manifested in connection with the association. It had in addition very generally been complained of that the instruction was deficient in quality and in quantity; and with regard to the charity, it was said that the artists did not receive their proportion. There had always been a strong feeling in the profession with regard to the Academy, and these complaints had sometimes been urged in language of extreme bitterness. One artist examined before the Commission of 1836 described the Academicians as despots, and the Associates as sycophants; another declared that the Academy possessed every power to do evil. Haydon, in his evidence before the Commission, said, "the Holy Inquisition was controlled by the Pope, but this is an Inquisition without a Pope." They had been called a den of thieves, and on one occasion a caricature was published in which the President figured as an animal with very long ears. But the Academicians were well able to defend themselves. Sir Martin Shee compared the late Mr. Hume to a Red Indian covered with paint and flourishing his tomahawk, simply because he endeavoured to improve the constitution of the Academy, and speeches in that House had been described as "a farrago of folly, vanity, and egotism." He did not mention these things to cast ridicule upon the Academy, but to show that there was ground for inquiry. If on such inquiry grievances were found to exist, let them be removed: if there were no such grievances, then the charges would recoil on the heads of those that made them. No one could doubt that the present mode of election was defective, and it might be a question whether in future the elections should take place on the direct nomination of the Crown, or whether, as the outside artists themselves desired, there should be a constituency formed of those who had exhibited for a certain number of years. Nor was the instruction given in the school exactly what it ought to be. The lectures were too few in number, and were not of the best quality, and the whole system of teaching, conducted, not by well-paid men who devoted their whole time to the duty, but by relays of what were called "visitors," was manifestly wrong. The "visitors" each took a month in turn; so that sometimes the visitor was an animal painter, sometimes a landscape painter, and sometimes an historical painter. That could not be a good system of instruction. Now, he did not say that all the complaints urged against the Academy were well-founded, but he thought there was sufficient ground for them to justify inquiry. Some believed that remedy would be found in having an Academy of Teaching and an Academy of Exhibition as perfectly distinct institutions; but, perhaps, a more practicable reform would be to add effective non-professional members to the Academy. At present there were five honorary members of the Academy,—the Bishop of Oxford, who was Chaplain; Mr. Grote, Professor of Ancient History; Dean Milman, Professor of Ancient Literature; Earl Stanhope, Professor of Antiquities; and Sir Henry Holland, who was Secretary and Foreign Correspondent. He did not believe that any of these Professors ever gave a lecture, or that the Bishop of Oxford ever acted as chaplain, unless it was in saying grace at the Academy dinner given on the opening of the Exhibition; but here was the principle already established for the extension of which he contended. He believed the addition of non-professional members to the Council would give them an active interest in the institution, and afford security to the artists outside that the elections were properly conducted, that the best men got "the blue riband" of their profession, and that no pictures were rejected which were entitled to a place in the Exhibition. The system was adopted in Paris, and also in Berlin. There was another branch of the subject to which he wished for a moment to direct the attention of the House—whether the Royal Academy could not also be made useful in improving and developing public taste. If there was one thing more generally admitted than another in this country, it was that our public monuments and statues were egregious failures. It might be said that these statues were erected many years ago; but he need not go far back to prove the fact. Havelock was no improvement; Jenner was so little of an improvement that the right hon. Gentleman was obliged to find for it some retreat, he did not know where, but happily remote from Trafalgar Square. This was really a serious question. The right hon. Baronet the Secretary of State for War knew well what importance the ancient Greeks attached to their public statues, which were always placed in the most public places, and challenging the admiration of their wives in order that they might have beautiful children. But whether or not the character of our public statues would have any effect on the symmetry of the next generation, he thought it very desirable, if possible, to establish some better system with regard to our public monuments. His belief was, the evil arose from the want of an artistic or architectural control in these matters. The noble Lord opposite (Lord Henry Lennox), who in an earlier part of the Session made a very excellent speech on this subject, suggested that the Minister of Public Works should be responsible in these matters. But he very much doubted whether that alone would be sufficient to effect the object. The Minister appointed to the Department of Works was not selected for that office because of any special qualification for its duties. He was the creature of a political necessity or convenience; and even supposing the best man was appointed, a change of Government removed him from the office, bringing with it also a change of system — Gothic succeeding Palladian plans, and monuments raised by one Minister being pulled down by his successor. But he thought that in the Royal Academy, reformed, enlarged, reconstituted, as he proposed, by the extension of the nonprofessional element, they might find a Committee of Advice, which would be of immense use in all questions of art and public monuments. This was no novelty with the Royal Academy. At the beginning of the present century three public monuments, proposed to be raised to Lord Nelson, Lord Cornwallis, and Mr. Pitt, were referred to the Royal Academy, and the only reason why this system broke down was that they appeared rather inclined to job and keep the work entirely in their own hands. But the larger infusion of the non-professional element would be a complete check and bar to anything like jobbing. This system also prevailed abroad. He brought forward this Motion in no spirit of hostility to the Royal Academy. Far from it. He only wished to extend its usefulness. He hoped this inquiry would be granted. It might indeed be opposed on two grounds —first, that the Royal Academy was a private body with which they had no right to interfere; and in the second place, it might be said that Commissions never led to any result. It was absurd to call the Academy a private body. Sir Charles Eastlake, in consequence of his position as President of the Royal Academy, had been appointed to many important posts in reference to art in this country. The Royal Academy was certainly not regarded as a private body by the Committee of 1836; and he had yet to learn that that which was lawful and right in that year was *ultra vires* in 1862. The annual dinner which they gave on the 1st of May, on the opening of their Exhibition, and which was usually attended by the magnates of the land of all shades of politics, also showed that they were not a private body. It had been said that when they wanted anything from the State, they claimed to be public; and when the public asked anything from them, they claimed to be private. The Chancellor of the Exchequer said that the appointment of Royal Commissions led to no result; but an examination of the records in the library, so far from supporting that assertion, would prove that during the last twenty years between twenty and thirty Commissions had sat which had all led to important legislative enactments. Those Commissions had inquired into the Poor Law of England and Scotland, the rural constabulary, the rebuilding of the Houses of Parliament, episcopal and capitular estates, the Universities, popular education, the reconstruction of Westminster Bridge, the manning of the navy, the national defences, and various other questions. He trusted, therefore, that the Government would grant the Commission for which he asked. Many of the most important names connected with the Royal Academy were in favour of its appointment, among them being Mr. Grant, Mr. Roberts, Mr. Maclise, Mr. Herbert, and others. He believed that its appointment would be the means of doing much for art. It had been said by foreigners that in England, from its foggy atmosphere, and the constitutional temperament of its people, art could never flourish as it did in sunnier and happier climes; but in the days of our Edwards and Henrys art was further advanced in this country than it was at the same period in Italy. No doubt it fell to a very low ebb at the time of the Reformation, and again in the days of the Puritans; but in the last century it attained a new life under a Hogarth and a Sir Joshua Reynolds; while the present century had also produced a Turner, an Etty, and many other distinguished artists. In following the course which he now ventured to suggest, they would, he thought, further promote the progress of art in this country, give a proper turn to that taste which certainly existed, but which, perhaps, wanted developing, and thus take care that those Estimates which were so freely voted by Parliament were not wasted, as they were in a great measure at present.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the present position of the Royal Academy in relation to the Fine Arts, and into the circumstances and conditions under which it occupies a portion of the National Gallery, and to suggest such measures as may be required to render it more useful in promoting Art, and in improving and developing Public Taste,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. COWPER said, that his noble Friend had disclaimed all hostility to the Royal Academy and professed to have a desire only to render it still more useful than it now was for the purposes for which it had been founded; and his noble Friend had stated reasons in favour of his Motion which would certainly indispose him from offering any opposition to its adoption. Undoubtedly it would not be a tenable proposition to say that the Royal Academy was to such an extent a private institution as not to be liable to the inquiry of a Royal Commission. That body had the freedom of a voluntary association, but it had also the responsibility of a public corporation. It was founded by the Sovereign for public purposes — for the promotion of art and the diffusion of taste among the community at large; and it had received from the State the benefit of the galleries and apartments which it had occupied for the last ninety years. He was sure the Royal Academy would disdain to claim any exemption from public inquiry, knowing that they could submit their proceedings to the most searching examination without apprehension, and that the results of an investigation would not be in any way to their detriment, but would show that in the main they had attained the objects for which they were originally established. His noble Friend had alluded to the opposition which had on many occasions been made to the Royal Academy. But although he did not agree with the severe strictures on the Academy that had been quoted by his noble Friend, he did not mean to say that their proceedings had attained such a degree of perfection that no good could result from the proposed inquiry. He understood that the Commissioners would have to inquire, not as to the propriety of the existence of the Academy, but as to the means of making the Royal Academy most efficient for the important purposes for which it was instituted. He would not discuss whether the Academy should be abolished, and complete free trade in art established, because the effect of free trade in art could only be to lower art to the level of a trade. If we were to trust to the effect of private demand for paintings and sculpture, we should obtain that which might be produced cheaply and sold cheaply, but we should soon lose the higher excellences of art. The Royal Academy was intended to provide schools for the instruction of students, to exhibit deserving works of art, and to confer honorary titles and rewards of merit. Those purposes could only, in the present state of affairs, be carried out by means of a corporate body. In former times great sculptors and painters were accustomed to surround themselves with young men who learnt of them the technical details of the art, and imbibed the spirit of their masters, the students in return aiding in the production of the master's works. In the present day it would be impossible to renew these relations between mature artists and young men who were commencing a career of art. Experienced artists were busily engaged in the production of works for which they found a ready sale, and were unwilling to devote their time to the instruction of students; and young men would not now be content to imitate artists even of the highest genius, but were eager to set up for themselves, and to be original. If art was to be taught at all, it must be in schools, and he should regret to see those schools dependent upon private enterprise. The demand for such instruction was so limited, that unless gratuitous instruction were afforded in public schools, art must rapidly decline in this country. He admitted that upon some points the schools of the Royal Academy were open to improvement. The Professors were underpaid, and the singular custom of having a series of teachers in rotation did not aid systematic teaching, although it might prevent mannerism or conventionality in the works of the students who derived instruction from such different sources. He thought it desirable that there should be more sound, practical elementary teaching in the schools. If in these schools the elementary branches of art were more carefully inculcated, he believed a much sounder foundation would be laid for future progress than had hitherto been the case. With regard to the exhibitions, he must say that he thought the Royal Academy did confer a great benefit upon the public by the manner in which it conducted those exhibitions. The Committee of the Academy which undertook the invidious task of selecting the works to be exhibited might sometimes err; but they did perform a great public service in discharging the invidious duty of limiting the exhibition to works of merit. With regard to the other purpose for which the Royal Academy was established—the rewarding merit and granting honorary titles—he thought the mode at present adopted by the Academy was the best. If honorary titles were to be conferred by a large constituency open to canvassing and accessible to party spirit, there would be less impartiality in the awards than at present; and if those rewards were to be conferred by some branch of the Government, the decisions would produce still greater complaint and discontent. He hoped a Commission might do good in closely investigating the details of the management of the Royal Academy, and might be able to devise some means by which the great purposes for which the Academy was founded might be best carried out. He agreed that the present moment was not inappropriate for appointing a Commission. It was twenty-seven years since the last inquiry was instituted, and it was desirable that whenever the question as to the final arrangements of housing the Royal Academy came before the House, they should have the benefit of any inquiries and report which the Commissioners might make. The temporary arrangement by which the building in Trafalgar Square was jointly occupied by the National Gallery and the Royal Academy could not long continue, as the building was not large enough for both. Very soon a larger space would be required for the national pictures; and if it should be determined to erect a National Gallery upon the three and a quarter acres now occupied by Burlington House and gardens, in order to accommodate all the pictures now belonging to the nation, and also those that might be acquired for a considerable number of years to come, then it would be necessary to come to some arrangement with the Royal Academy for their permanent occupation of the premises now in their possession. If, on the other hand, it should be decided to enlarge the building in Trafalgar Square, a site would be given to the Royal Academy, on which to build its own gallery. When those questions came before the House, it would be well to have the results of the inquiries by a Commission before them. He did not anticipate that among the subjects considered by the Commissioners would be included the permanence of the office which he (Mr. Cowper) had the honour to hold. In Prussia, to which his noble Friend had referred, though the director of the gallery was permanent, the head of the public works was a member of a Government dependent upon a vote of the Chambers. The old system of election by the suffrages of exhibitors, which existed in the institution prior to the Royal Academy, was not found to answer, because it led to party spirit and jealousies. He did not think that any advantage would arise from a recurrence to that system, and he was very sceptical of the advantage of introducing non-professional persons into the Council. The action of the Royal Academy had become essential to the development of art, and it was possible that suggestions might emanate from a Commission by which art would be still further promoted, and that taste for painting and sculpture, which was so rapidly increasing in this country, would be still further fostered and encouraged. While assenting to the Motion, he would ask his noble Friend not to press it this evening, so that it might be agreed to without interfering with Supply.

Lord JOHN MANNERS said, he was glad that the right hon. Gentleman had assented to the appointment of a Commission, and he was also glad to hear the right hon. Gentleman was at some pains to explain that there was no intention of joining in the criticism, which was sometimes of a most unfriendly and unjust character towards the Royal Academy. He thought no hon. Member would manifest such a spirit of criticism on this occasion. Their labours were to be judged by the fruit; and when the works of so many distinguished foreign artists were now exhibited in this country, it was gratifying to find that the works of British artists, to say the least of it, held their own by the side of them. His noble Friend said that in point of economy it would be advisable to build a new National Gallery on the site of Burlington House, and leave the Royal Academy in possession of the building in Trafalgar Square; but his noble Friend would remember that in the arrangement that was come to between Lord Derby's Government and the Royal Academy it was expressly stipulated that the Royal Academy should be at the expense of the building themselves, and he was bound to say that the Royal Academy made the offer. That offer was wisely accepted by Lord Derby's Government, and he did not know why it had not been carried out by their successors. He trusted that on the appointment of a Commission there would be a full and satisfactory examination of the various plans which had been proposed for the separation of the National Gallery from the Academy; and if so, he believed that the Commission which his noble Friend now asked for would be attended with very good results. He was afraid, however, that his noble Friend set rather too high a value upon the labours of the Royal Commission, and was disposed to attach too much importance to the system of control over works of art. His noble Friend had found fault with our modern statues, and seemed to be under the impression, that if the Royal Academy were officially intrusted with some power of vetoing the erection of public statues, the taste of the people might be improved. His noble Friend, however, totally overlooked the fact that a great many of our public monuments were the productions of private munificence, and did not come from public grants at all; and probably so long as it was found convenient in this country to erect monuments to public persons by private munificence and liberality, it would be impossible to establish any tribunal which should have the power of vetoing the erection of any statues, whatever might be their deficiency in point of merit as works of art. He was glad to hear from the right hon. Gentleman that he had no intention of proposing that the office which he now held should be a permanent one; and this was the more satisfactory as the right hon. Gentleman had, if he remembered rightly, given contrary evidence before the Select Committee. [MR. COWPER: No!] He was glad that his memory had deceived him upon this point, and should be ready to co-operate with the right hon. Gentleman in defeating any such proposal. He believed that this Commission would be of the greatest public service, while it would be one more proof of the deep interest his noble Friend took in everything that concerned the department of art.

MR. COWPER wished to explain that he had never advocated the permanence of the office, and thought it would be a most absurd proposal.

LORD ELCHO said, he would withdraw his Amendment, and gave notice that he should move it as a substantive Motion tomorrow.

Motion, by leave, *withdrawn.*

POSTAL COMMUNICATION WITH NORTH AMERICA.—OBSERVATIONS.

MR. SCULLY said, he rose to call attention to the Imperial importance and the feasibility of establishing a Postal and Passenger intercourse between Europe and North America, by means of Mail Steamers to call regularly, on alternate days, at the port of Cork, with Telegraphic Communication off Crookhaven or Cape Clear; and to ask the First Lord of the Treasury the views of Her Majesty's Government with regard thereto. He brought the question forward entirely on public grounds, and not simply as an Irish question or a Cork question. There were about 250 steam vessels going every year from ports of the United Kingdom to America, or at the rate of five vessels a week. All he wanted was that they should utilize present means, so that they might have a regular postal communication with America every other day, and that could be done without any extra subsidy whatever, simply by providing that all the regular mail packets should call at Cork for the mails for America. Regularity was, after all, of much more consequence than extreme expedition; and although a passenger in a great hurry might sometimes save four or five hours by going to Galway, greater regularity could be attained by the Cork route. He did not think it necessary to subsidize any companies whatever. What he suggested was that the Treasury should pay a contract price for the carriage of letters and parcels, and that the vessel should be at Cork at a particular hour. He believed that the ordinary steam vessels would be glad to carry the mails for little more than the mere *prestige* of carrying them; and he assured the noble Lord at the head of the Government, that if he got a favourable reply, he would leave for Ireland to-morrow, and not trouble him any more this Session. In a much more westerly position than Cork were the harbours of Crookhaven and Valentia, but in their present state neither of them could be put in competition with Cork. Crookhaven, however, could be used for telegraphic purposes. He thought it was important to Europe, and especially to the United Kingdom, that there should be as regular a communication as possible with America, and he thought that our present mode of subsidizing placed us at a great disadvantage. His opinion was, that when the present contracts expired, all subsidies should be abolished. He had stated his sentiments on the subject to the noble Lord at the head of the Government a few weeks ago, and he now wished to ask him in what way the Government proposed to deal with the question?

Viscount PALMERSTON said, it was true that some weeks ago his hon. Friend had honoured him with a communication on this subject, and then went through the general argument he had that evening urged upon the House, as to the advantages possessed by the harbour of Cork over the other Irish harbours which had been mentioned; and his hon. Friend's persuasive eloquence as to the merits of Cork completely explained how it happened, that not having any natural connection with the county of Cork, the hon. Gentleman should, nevertheless, have induced the electors to return him to Parliament as their representative. The impression made upon him had, however, been somewhat modified by what had fallen from his hon. Friend that evening. His hon. Friend had intimated he would go off to-morrow morning, if he only got a favourable answer with respect to this matter. That certainly was no inducement for him to give a favourable answer —he had no wish to get rid of his hon. Friend, who appeared to be perfect master of the subject, and brought to its consideration that humour, and good humour, which belonged to him and to the Members for Ireland in general. There was no doubt of the great advantages possessed by the harbour of Cork for carrying on communication with America, though there might be other harbours which had their special recommendations—the harbour of Galway, for instance, might in some respects be superior, the passage by it being shorter both as respected time and distance. But, without entering into these details, all he could say was, generally, that the subject was under the consideration of the Government, who would give to it the best attention in their power. He believed it was the fact, as indeed appeared from the Return moved for, that almost every steamer that left the United Kingdom for America had taken mails. He understood the drift of his hon. Friend's argument to be that there should be no contract with any company, but that the ocean postage should be regarded as a sufficient remuneration for the carriage of the letters. All he could say was that that subject, together with others, was under the attentive consideration of the Government.

Colonel FRENCH said, that if the merits of Galway had been impugned, he should have stood forward to re-assert them; but as no attempt of the kind had been made, he should not take further part in the discussion.

Lord FERMOY said, that this was not a mere question of the rival claims of Cork and Galway; but he thought it unquestionable that there should be one port of departure from Ireland for the transmission of the Transatlantic mails. He thought that the hon. Member for Cork had mixed up two subjects essentially distinct—the question of a port of call, and the question of a port of departure. As to a port of call for commercial vessels, Queenstown had been established, not by any Government grant or Parliamentary decision, but as a result of the common sense and experience of commercial men, whose sagacity speedily settled the matter; and this question had best be left to the practical good sense of those who invested their capital in commercial enterprise. The question of a port of departure was quite a different matter, but he thought that Ireland was entitled to have one subsidy. He appealed to the Government to preserve an impartial position on the subject of what was commonly called the Galway Company, who had applied for a renewal of their subsidy. He would be ready to ask the Government to consider the grant of that subsidy, but, at the same time, he would, even in the interest of the poor men who had staked their last pound in the Galway Company, urge the Government, when they granted the subsidy of £70,000, not to burden it with the condition that the company should be compelled to start their vessels from one particular port. Let the company be free to start their ships from any port in Ireland which should appear to them most advantageous in a commercial point of view. Telegraphic communication was undoubtedly very valuable in a commercial point of view, but it must be to the port from which every vessel last set out, and to which every vessel first came back. Crookhaven was not a port of call. Vessels only used it when they were driven in by stress of weather, but they did not go and come there as they did at Cork. After all, the shortest communication between America and Central Europe was not an Irish, or an English, but a European question, and the map would seem to show the best route to be by London to Milford, thence to Waterford, and from Waterford to Cork. It would be only necessary to make about thirty miles of railway to complete that route. There was already an excellent railway from London to Milford, and steam vessels were plying between Milford and Waterford. As to the subsidy for Transatlantic packets from Ireland, the Government ought to give a definite answer, because it was positively cruel to keep the shareholders in suspense. He could assure the noble Lord that the people of Ireland would not grudge the £70,000 to Galway.

Mr. BUTT said, that in the year 1859 he was in a position which enabled him to call a meeting of Peers and others interested in Irish affairs, to discuss the question of making Cork a port of call, and it was the unanimous feeling of those present that nothing should be done to prevent the Government giving a subsidy to the Galway Company. The meeting thought that the people of Galway, by their superior activity, or it might be by accident, had a claim on the Government which the other portions of the Irish people did not possess, and that it ought not to be interfered with. He (Mr. Butt) thought that nothing would be more unfortunate than to start a question of jealousy between Galway and Cork; and he believed the noble Lord would, if he consulted the wishes of the people of Ireland, seriously consider that the claim of Galway was paramount.

COURT OF CHANCERY—RECENT RULES AND ORDERS.—RESOLUTION.

Mr. COX rose to call the attention of the House to the General Rules and Orders of the High Court of Chancery, issued by the Lord High Chancellor, on the 16th day of May, 1862, and to move that in the opinion of this House such Rules and Orders ought not to continue in force. The effect of the Orders to which he sought to draw attention was to substitute printed for written copies of affidavits and depositions in causes where issue had been joined. It might be asked, what had the House of Commons to do with the Rules and Orders issued by the Court of Chancery? The Act of Parliament provided that both Houses of Parliament should have all new rules and orders laid upon the tables of the Houses forthwith in case they were sitting, and in five days after meeting in case of the Rules being issued during the recess, and that either House might within thirty-six days rescind them and set them aside altogether. The Orders referred to in his Motion were issued on the 16th May, and they were not laid on the table until the 17th June, and would not then have appeared if he had not given notice to put a question to the Attorney General on the subject. He would show the House that these Orders would be of no benefit to the suitors or to any other class of persons, but that they were intended to create a monopoly, for the whole of the printing would be thrown into the hands of one person either by the order of the Lord Chancellor or somebody else. When Bills and Answers were directed to be printed, solicitors got their work done where they liked; but under the recent Orders solicitors would be obliged to take a copy of each affidavit to the office of the Records and Writs Clerk, who would send them to the printer; and this would in effect constitute the monopoly complained of. Under the new system there was not only no saving of expense, but, on the contrary, the charge was increased. For how was the printer to be paid? Why, by a subsequent Order it was directed that the printer should be paid at the rate of $8\frac{3}{4}$*d.* a folio, and that would result in a loss of $1\frac{3}{4}$*d.* a folio, or of about £4,000 a year, to the Suitors' Fee Fund, that being the fund charged by the new Orders with the cost of printing these affidavits. It might be asked for whose benefit had this alteration been made; and why was the Suitors' Fee Fund to be charged with a loss of between £4,000 and £5,000 a year, if nobody was to be benefited by the change? The answer was the printer would be benefited by it. But hon. Members were sent to that House to prevent monopolies, and the putting of money into the pocket of one man to the great injury of other men. If the suitor would receive no benefit, there could be no necessity for the change. The Orders went on to say that solicitors were to be allowed for affidavits in the taxation of costs the same sum per folio as under the old practice of writing them. Thus it would appear that a large body of men were to be thrown out of employment; that a monopoly was to be established; that a charge was to be thrown on the Suitors' Fee Fund—a fund which the House of Commons would not allow to be touched when it was proposed to apply the fund to the building of the new law courts—and that the same charges as at present were to be made to the suitors. He was at a loss to know what answer the Solicitor General would give to these questions, but in truth the hon. and learned Gentleman could know very little of the matter. Bills and answers were printed by a stationer selected by the solicitor, and it was free trade in that respect; but the printing of affidavits would be a complete monopoly, and would cause a great deal of mischief to a large body of honest and industrious men. Although the operation of printing Bills and answers in Chancery might have had a good effect, the printing of affidavits must have quite a contrary effect. Believing the new Orders would benefit no one, he must ask the House to consent to the terms of his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the General Rules and Orders of the High Court of Chancery, issued by the Lord High Chancellor on the 16th day of May 1862, ought not to continue in force,"

—instead thereof.

The SOLICITOR GENERAL allowed that it was perfectly competent for the House to interfere, if it thought fit, with the Rules which the Lord Chancellor, with the concurrence of the other judges of the Court, might draw up for the regulation of the business; but if it were to interfere, except under great necessity, it would run the risk of lending itself to private rather than public interests, and of paralysing important reforms in the administration of justice. It was quite clear that in a matter like this the House of Commons was not the most competent body to pronounce a decision. It must be obvious that the Lord Chancellor and the other Judges, in substituting printed for written papers, could have had no possible motive but the public advantage in laying down the rule; and though every one must be sorry when a measure of public improvement damaged private interests, yet it could not be argued for a moment, that because under the present mode of conducting the business of the Court a certain branch of the business had fallen into the hands of a very respectable body of men, such as the law stationers, therefore any interference with that particular branch should not be permitted, though it might be of great benefit to the public. The complainants in this case only came forward for the purpose of securing personal objects, and the House would necessarily receive with considerable caution any statements proceeding from persons occupying such a position. For some time past proceedings in Chancery had been partly printed and partly written. In 1852 the practice of printing bills was introduced, and incidentally a considerable benefit was conferred on the law stationers, for copies which were formerly furnished by the Court were thrown open to the trade, to the amount of £25,000 a year, and he was informed that the present change was not likely to withdraw anything like that sum from the trade. But, whether they gained or lost by the change, the House would not allow the suggestions of private interest to prevail against a public improvement. If the House were asked to set the opinion of the law stationers against that of the Lord Chancellor and the other Judges, they could not but give the greatest weight to the judgment of those who were so thoroughly experienced in the business of the Court, and who had only the public interest to look to. In the administration of justice great benefit had been found to arise from having all the papers in a suit printed instead of written, and this rule had been long in practice in the House of Lords and the Privy Council. The arrangement which had been made in the

Court of Chancery, so far from causing a loss to the Suitors' Fund, would, on the contrary, have the effect either of preserving the present equilibrium or of leading to a prospective gain. It was a totally erroneous way of putting the matter to call the arrangement a monopoly. The Court undertook to discharge its own business, and to furnish the suitors with copies of the documents necessary for the suit. These copies had been habitually made in manuscript by the Court; and now it was found that arrangements might be made under which printed copies would be delivered at a much less expense. The hon. Gentleman suggested that printers might be found who would supply the copies at a less charge than 8¾*d.* per folio of seventy-two words; but he was informed that the charges made now by the law stationers—who had established themselves as middlemen in this branch of the business—for printing documents ranged from 1*s.* 6*d.* to 3*s.* 6*d.* per folio, and that the average was about 1*s.* 7½*d.*

Mr. COX: That is for a folio page—4½ folios of seventy-two words.

The SOLICITOR GENERAL did not so understand the information which had been furnished to him; but, without pledging himself to any specific sum, he felt certain that a considerable amount of saving would be secured by this arrangement. The effect upon the Suitors' Fee Fund had been carefully considered by the Judges, with the assistance of some of the most experienced officers of the Court of Chancery. There could be no more experienced persons than Mr. Follett, Mr. Monro, Mr. Murray, and Mr. Johnson, and these gentlemen were satisfied that there would be a trifling gain to the Suitors' Fee Fund, leaving a safe margin for the operation of the scheme. The suitors would also be gainers, because the number of copies which it would be necessary to furnish to them would be reduced, and that would affect materially the total cost of the proceedings. It was the belief not only of the Lord Chancellor, but of that just, upright, and impartial man, the Master of the Rolls, that the measure was an important improvement, and under these circumstances he trusted that the House would not interfere for the purpose of preventing its adoption.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 31; Noes 26: Majority 5.

INDIAN BALANCES.—OBSERVATIONS.

Mr. AYRTON rose, pursuant to notice, to call the attention of the House to a question of considerable importance connected with the finance of India—namely, the large balances held in India and in England on account of the Government of India, and to the manner in which the Finance Accounts for India laid before the House are made up; and to ask the Secretary of State for India, whether any part of the balances will be applied towards the repayment of the Loans by means of which the balances have been increased; and, whether the Finance Accounts will be made up in a clearer manner? The hon. and learned Member said, that so far back as 1853 the statesmen who administered the financial affairs of India had departed from the good and homely system of finance by which the expenditure of the year was met by its income. The Government of India then embarked on a much more comprehensive idea of its duties, increasing its expenditure beyond its income. This went on till 1857, when the expenditure was once more brought down to the level of the income. In that year, however, in consequence of the mutiny, the expenditure increased beyond the income no less than £13,000,000. Efforts had, indeed, been made to bring down that excess; but even in the present year there was an excess of expenditure of no less than £500,000, and the total excess from 1854 to 1862 amounted to no less than £41,500,000. This excess was, in the first instance, when moderate, easily met by appealing to credit in India; it was sustained by a system of open loans, and there was no real check; but when the demands of the mutiny were to be met, England had to come to the rescue, and the results were manifest in a paper which had been laid on the table of the House. The result was that the registered debt in India had increased from £46,000,000 in 1857, to no less than £62,000,000, and the increase of the debt in England represented an addition of £36,000,000, against a debt in 1857 of £4,000,000. But, while indebtedness went on increasing at such an enormous rate, there had been an apparent prosperity in India by the increase of the cash balances, to the credit of the Government in India and in England. Before the mutiny the balances amounted to £16,000,000, but these were enhanced by the sum of £3,000,000 belonging to the railway companies—so that the actual balances were not more than £13,000,000. But, with the facility of credit which the Indian Government enjoyed in this country, the balances in England and India amounted to £23,300,000, while the sum belonging to the railways was only £2,500,000. The Great Mogul never had such balances. These enormous balances were represented by some as a sign of the great prosperity of our Indian administration; but, in reality, they only represented an excess of debt contracted under an apprehension that there would be a very large expenditure and a deficiency of revenue, which happily had not occurred, the people of India having to pay 5 or 6 per cent on the excess. It appeared, according to Mr. Laing, that only a balance of £10,000,000 was requisite in India, while the actual balance was £17,000,000. He was anxious that the Secretary of State should make some distinct declaration, either by means of a statement in that House, or by means of a despatch to be addressed to India, which would place before the Government of India the true character of these balances, and secure their appropriation in reduction of that debt which they really represented. He had also to state to the House that, owing to the mode in which the accounts were prepared, it was difficult to ascertain the exact condition of Indian finances. The Secretary of State had stated that the day of keeping open a loan for registered debt was past; but it was desirable that the day of all open loans should be past. There was an extrordinary item in the account of the debt given in the Return on the table called "Deposits and Miscellaneous," the total amount of which was no less than £10,220,000. That item had increased in the last few years from £8,000,000. But there were other sources by which the debt had been increased, such as deposits for the service funds, Treasury notes, and the like. With respect to all these matters, it was desirable that an account more easy to understand should be furnished, and the entire system of accounts remodelled, so that there might be no ground hereafter for supposing that there was an increase of prosperity in India, merely because the balances in favour of the Government had increased. Indian accounts had always been complicated in their form; but it was certainly a startling evidence of their obscurity that a man of Mr. Laing's experience should have been unable to comprehend them, and should have fallen into such a grave error as to believe that the repayment of a debt due to the Government was an item of revenue which ought to be placed against the expenditure for the year. Whatever might be the excellence of these accounts in the eyes of a clever accountant, they ought to be laid on the table in as clear and simple a shape as would enable any ordinary person to understand them. Apart from the voluminous and detailed account, the House ought to be furnished with such a succinct summary as would give them a knowledge of the exact state of affairs. They ought to have clear, combined accounts of the expenditure both in India and in England, together with better accounts of the balances in the Home and the Indian Treasuries. Such information would prevent the erroneous impressions on these matters which were now created. He hoped, also, that the Secretary of State would get rid of the pretensions of such an officer as the so-called Indian Chancellor of the Exchequer. If individual members of the Indian Government took distinctive positions before the public, and presumed to deal with the finances of India, this result followed—that they were unable to restrain themselves under the influence of the flattery they received in India, and they gave themselves out as the protectors of the people of that country, even against what they termed the oppressive taxation of the Queen's Government in England. Such a mode of holding up the Home Government to opprobrium was most dangerous, and calculated to injure the stability of our rule in India. He therefore trusted that the Secretary of State and his Council would keep Indian finance under their strong control, and also discourage these appeals to the Indian public.

Sir CHARLES WOOD said, he did not think it necessary on that occasion to enter into the general question of Indian finance. His hon. Friend had called attention to the present form of the Indian accounts, and in reply to his observations he had to say that those accounts were kept now in the form which was settled some years ago by a Committee of that House. Like all such documents they required a good deal of study before one could tell exactly where to find what he wanted. His hon. Friend had referred to the debt incurred by temporary loans and the issue of Treasury notes, and said it was difficult to tell how the debt stood; but if he would turn to the printed accounts at page 86 he would find the figures given both of the debt incurred and the debt discharged in respect of the temporary loans and bills issued. As to the military charges at page 48, they would find the amount of the Indian and home military charges specified. It was impossible to prevent hon. Members from being misled if they did not turn to the right column or the right page of the accounts. All he could say was, that there were one or two points upon which he was anxious to amend the form of the accounts; but the form of the account had been recommended by a Committee of the House, and he was unwilling to make any alteration unless sufficient reason could be shown for it.

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Mr. MASSEY in the Chair.

The following Votes were *agreed to*:—

(24.) £2,000, Board of Manufactures (Scotland).

(25.) £115,877, Local Dues under Treaties.

(26.) £3,500, Inspectors of Corn Returns.

(27.) £1,000, Boundary Survey (Ireland).

(28.) £34,550, Census of the Population.

(29.) £3,030, Telegraph Companies' Subsidies.

(30.) £2,647, Malta and Alexandria Telegraph.

(31.) £4,645, Civil Contingencies.

MR. DARBY GRIFFITH asked whether the item in this Vote referred to all the Orders, including that of the Star; and whether it relieved the recipients from all charge for badges, collars, and decorations?

MR. PEEL explained that the Vote referred to the robes and collars of the different Orders; but that the decorations themselves were always returned upon the death of the Knight, and that therefore there was no charge upon the public for them.

Vote *agreed to;* as were also—

(32.) £6,500, Volunteer Corps (Yeomanry).

(33.) £750,980, Disembodied Militia.

(34.) Motion made, and Question proposed,

"That a sum, not exceeding £2,827, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Salaries of certain of the Junior Attachés to Her Majesty's Embassies and Missions Abroad."

MR. DODSON objected to the Vote. He thought that if new expenditure for the diplomatic service were necessary, the Secretary of State should give the House an opportunity of considering the whole question of diplomatic expenditure. He did not intend to disparage the diplomatic service, but he objected to the Vote as opening a new channel of expenditure which might next year be largely increased; and therefore he wished to know upon what grounds this new Vote was asked for. This Vote, he understood, was proposed in consequence of the recommendation of the Select Committee on the Diplomatic Service; but many other Votes would be necessary if all their recommendations were adopted. They did not give a single reason, good, bad, or indifferent, for this increase of diplomatic expenditure; and though out of the twenty-three witnesses examined twelve were in favour of this proposal, nine coupled it with the restriction that the number of *attachés* should be limited according to the requirements of the service, and should not be fixed according to the will of the Secretary of State. The Vote was entirely novel in its character. The diplomatic service, as far as he knew, had made no complaint; and as there were already thirty-five *attachés* in the receipt of pay, he did not see why Parliament should be asked to vote this sum in addition. He therefore moved that the Vote be disallowed.

MR. LAYARD said, he thought that this subject had been exhausted by the discussion which took place a short time ago, on the Motion of the hon. Member for Honiton (Mr. B. Cochrane). The facts of the case were these:—The Select Committee which sat last year recommended, amongst other things, that *attachés* should be paid after a certain period of gratuitous service, and the Foreign Office had thought it advisable to adopt that recommendation. The Committee which considered this subject last year made several recommendations, of which the Foreign Office only proposed to carry out one—one which had been very strongly recommended by every witness who had been examined before the Committee—and that was, to pay the *attachés* after four years of gratuitous public service. His own opinion was, that they should be paid at an earlier period. It was a hard thing that a man should be called upon to serve his country without remuneration; and he did not think the Liberal party were acting wisely in trying to cut down the salaries of public servants. On the one hand, it was made a complaint that none but the relatives of the aristocracy and rich persons were appointed to the diplomatic service; and on the other, by keeping down the salaries of those who were appointed, they made it impossible for any but comparatively rich persons to enter the service. Now, he thought that they ought to do either one thing or the other—either to pay the young men who undertook these posts, or else exclude all who could not afford to serve for nothing. His opinion, however, was, that the profession should be open to all who by their abilities were able to serve their country. There were at present two classes of *attachés*—the paid and the unpaid, and the object of the Vote was to pay after four years' service all the *attachés*. The sum charged on the Consolidated Fund out of which diplomatic salaries were paid amounted to £180,000. That sum was fixed about thirty years ago; and while almost every other branch of the service had doubled, and sometimes more than doubled in cost, this alone had not increased; but, on the contrary, considerable additions had been made to those who were paid out of the fund. For instance, the Consuls General in South America had been paid out of that sum. It was true that a surplus of £10,000 had been paid back to the Foreign Office. There were two reasons why the present Vote was asked. In the first place, because it was considered necessary always to have a balance in hand in order to pay certain diplomatic pensions, and therefore it was not advisable to run the £180,000 charged on the Consolidated Fund too close; and, secondly, because a new principle was to a certain extent involved in the Vote; and it was thought fair that the matter should be brought fully before the House, and that the assent of the House should be asked. The sum asked was not a large one. There was no increase in the expense of the diplomatic service, and there was no prospect of the number of *attachés* being increased: on the contrary, some reductions had been made in the number. Almost every one in the service was underpaid, while the expense of living in foreign capitals had greatly increased; and therefore he trusted that the Committee would pass this very moderate Vote, not only on account of the smallness of the sum, but of the principle that was involved.

MR. THOMSON HANKEY, as a Member of the Committee that sat on the subject, wished to say, that if there was one point upon which every Member of the Committee had been agreed, it was that it was not desirable to continue the present system, which they considered to be most inconvenient and objectionable. Instead of the system proposed having a tendency to promote jobbery, he believed that its real tendency would be to counteract it, for at present none but persons who had a good position and a considerable income could be appointed to the position of unpaid *attachés*. The former system was that the Foreign Minister might take almost any number of young men as *attachés*. They were not paid; and the result was that any number of young gentlemen who had a desire to see foreign life to advantage, and who had a private income of £400 or £500 a year, were nominated unpaid *attachés*. In the course of time these persons became claimants on the Government for services rendered. That system was considered by every Member of the Committee most objectionable. ["No, no!"] He repeated most positively that such was the case. Every gentleman who had been in the service for some years and had been examined before the Committee considered the system objectionable. It was but fair when men had learned their business that they should be put on pay, and then the public would have a hold on them. What would be thought of admitting ensigns into the army without pay? Plenty of persons would be found to offer themselves if such were the system; but it would be considered a very unwise one. It was considered there should not be an unlimited number of young men admitted into the service. The number would be more likely to be limited if the young men were paid, because the Foreign Minister would be more cautious in admitting them when he knew that after four years they would entail a certain charge upon the public.

LORD HARRY VANE said, he could not admit the accuracy of all the statements made by the hon. Gentleman who had just sat down. Lord Russell and the right hon. Gentleman the Member for Buckinghamshire differed from many of the opinions which the hon. Gentleman had expressed. It was not unjust that after a certain number of years' service persons should receive some payment; but it was not at all desirable that the number of *attachés* should be increased, and that young men should be invited to enter the service for whom it would be afterwards impossible to provide. The service was a close service, and always must be, and it was not right that the taxpayers of the country should be burdened in order to pay a greater number of diplomatic servants than was necessary. Earl Russell stated in the Committee that he thought it desirable that a number of persons should enter the service as unpaid *attachés*. Some years ago it was not a profession at all, and Earl Russell and the right hon. Member for Buckinghamshire both held that it ought not to be made a profession; because, if it were, a number of persons would be induced to become dependent on the public, and the expense would become intolerable. He did not object to the sum proposed, but he did object to any general system of attracting young men to the service who might afterwards become burdens upon the public.

MR. WHITE said, that this was not a mere question of £2,800 per annum—there was a very large and important principle involved in the Vote. Since 1832 a sum of £180,000 had sufficed for the purpose to which it was now proposed to apply a sum of £2,800 in excess of that large amount. Did any hon. Gentleman think that a payment of £150 a year would induce any young gentleman of the class of which *attachés* were composed to enter the diplomatic service? Why £150 would only suffice to keep one of those young gentlemen in cigars. He knew several young gentlemen who waltzed and spoke French fluently, and who would be glad to enter the diplomatic service without payment. Now that there was the Zollverein, and that there were so many lines of railway, in addition to telegraphic connection, we did not want so many diplomatic agents in Germany. He should vote for the Amendment.

SIR FRANCIS GOLDSMID said, it was not denied that there was no difficulty at the present time in getting young men to act as *attachés* without pay. It followed, conclusively, that to pay them was a waste of public money; and though a small waste in itself, it was likely to lead to a larger waste in future years, and he should therefore support the Amendment.

MR. DODSON said, he should certainly press his Motion to a division.

MR. FREELAND supported the Amendment; and as this was an attempt to introduce a new principle, he hoped that before the House consented to any change, as regarded the diplomatic service, it would insist that all charges for that service should be annually submitted to Parliament in the shape of Estimates, and that the system of qualification for persons intending to enter that service should undergo revision. The Committee appointed to inquire into, and to report upon the consular and diplomatic services, had recommended that candidates should pass six months at the Foreign Office. He thought that period somewhat short. He thought, also, that as members of the diplomatic service were required to send home reports upon the trade of the countries to which they were accredited, it would be desirable that they should undergo a preliminary training for a certain period at the Board of Trade and receive certificates of competency.

VISCOUNT PALMERSTON: It seems to me that sometimes this House treats its Committees not very well. A Motion is made for inquiry into a certain part of the public service; allegations are put forward that it is overpaid, or that the staff is too large, and that the particular branch ought to be reduced either in amount or allowances. The Committee inquire into the matter, and find, when they examine the facts, that the previous impression was erroneous, that the numbers are not too great, and, perhaps, ought to be increased, or, as in the case of the diplomatic and consular services, that the allowances are too small. Then the hon. Gentlemen who moved for the Committee turn round on the Committee, and say that the conclusion at which the Committee has arrived is quite wrong. It is exactly like the old story of the sailor who was going to be married, and was told he must take his wife for better, for worse. "No," he said, "she may become as much better as she likes; but if she becomes worse, I will have nothing to do with her." So with the Committee. If the Committee recommend reductions, and say that we who moved for the Committee are right, and that the amount is too great, then we say the Committee is a wise one; but if the Committee differs from us, and on mature examination make a Report adverse to our previously conceived opinions, then we turn round on the Committee and say they are either official men, or men who have been in office—men, in fact, who know something of the matter, and are competent to judge —and therefore, because they know something about the matter, and are competent to judge, we will throw their Report over, and have nothing whatever to do with it. In the present instance I think the Committee were perfectly right. It has been a great grievance for a long time that in the diplomatic service a considerable number of young men did their duty admirably, but without any pay whatever—a circumstance which, I think, was a reflection on the public service. It is all very well to say, as my noble Friend (Lord Harry Vane) says, that there is no want of candidates, and that the service has always been full of these young men. But that is not an answer which ought to be given to the public or to this House of Commons. No doubt you might get persons to do anything without payment; but you would not have your service well performed. When you employ gentlemen to discharge a public duty you ought to have that hold upon them which consists in giving fair remuneration for services performed. It has been said that we shall have an unlimited number of persons in the profession if once we sanctioned this principle of payment. Does the hon. Gentleman (Mr. White) imagine, if this Vote passes—as I trust it will do—that the House of Commons will abrogate its functions of revising and determining the amounts which ought to be proposed? Does my hon. Friend imagine that it will rest within the mere discretion of the Government to increase this Vote annually to any extent they please? On the contrary, it will be equally open to my hon. Friend next year to criticise and to take the sense of the House upon any increase for which no adequate reason is given. It should be recollected that these *attachés* are now upon a different footing from that on which they formerly stood. Formerly the Secretary of State might oblige a friend, a constituent, or a relation by appointing this or that young man; but now the system is altered. A man must undergo an examination—a very strict examination—and, consequently, there is no longer that arbitary discretion of appointing young men who might be unfit for the high stations to which they are expected to rise; or who, having risen to those higher stations by the favour of the persons intrusted with their disposal, would be unfit to discharge the further duties devolving upon them. You have now a security against any such occurrence. I really think the smallness of the sum which is asked for proves that there is no disposition unnecessarily to swell the cost of the diplomatic service. My hon. Friend (Mr. Layard) has shown that the £180,000 are not entirely spent, because part is returned every year to the Exchequer. There is, consequently, a saving more than equivalent to the sum asked for. If you compare the diplomatic service as it now exists with what it has been, you will find that it used to cost a great deal more, and my own experience enables me to assert that it is much more efficient. I venture to say that no diplomatic service is better performed— I will even say as well performed—as that of the British Govern-Government. Its Members get better information, they keep their Government better informed of what is passing and what is likely to take place than those of any other country. The Government, therefore, are better able to look well to the interests of the country than any other country in the world. I hope the House will not be run away with by the apprehensions excited by my hon. Friend, but that they will adopt the only one of the recommendations of the Committee which the Government have thought fit to propose. As that recommendation emanates from men perfectly competent to exercise an impartial judgment, I hope the House will not refuse the small amount that is asked for.

MR. HENLEY thought the noble Lord hardly treated the House fairly. He accused them of want of respect for the recommendations of Committees, whereas the Government had shown still less respect. The hon. Gentleman the Under Secretary for Foreign Affairs shook his head; but the House merely doubted the propriety of one of the recommendations of the Committee, whereas the Government, with this single exception, had thrown over all the recommendations contained in their Report—and this, he supposed, was brought forward to save some credit to the Committee. If the Government mistrusted them in the many, surely it was open to the House to mistrust them in a single instance. The hon. Gentleman the Member for Southwark, as one reason for seeking this grant, said, "We get more than we want already, and we pay back a great deal into the Treasury." Then why come and ask the Committee for more? Another reason which the hon. Member assigned rather staggered him. He said it was necessary to put these gentlemen on the permanent list, in order that they might be entitled to pensions. If there were a number of gentlemen who were not wanted, and who could never be employed, why should they be entitled to pensions? The noble Lord stated quite truly that gentlemen were now obliged to undergo very strict examinations; but he did not state that these examinations had caused any diminution in the number of candidates. No Member who had spoken in favour of the Motion had declared that there was any difficulty in getting an abundance of able men for the diplomatic service on the present terms. He therefore did not think it right to pledge the country to this increased expense.

MR. LAYARD said, the right hon. Gentleman could not have been present the other night when this question was originally discussed, or he must have heard his explanation of the intentions of the Government, which were gradually to carry out all the recommendations arrived at by the Committee after mature deliberation. It was true that a Report going very much further than those recommendations had not been received; but those recommendations, some of which were proposed by Earl Russell and acceded to by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) were the very lowest that could have been framed after the evidence given before the Committee. In proof of the difficult nature of the examination, if it were not invidious to do so, he could mention names of young men who were unable to pass the examination who had the highest claims to be admitted to the diplomatic profession on account of the services of members of their family. There was no intention whatever to increase the diplomatic service; and there had likewise been some misrepresentation with regard to his statement about pensions. What he had urged was that in all other Departments of the public service a man was entitled, after a certain number of years, to a pension; while in diplomacy, although a man might have served ten or fifteen years, he was not entitled to count them towards a pension till he attained the post of Secretary. When a man served the public, it was only reasonable that he should be paid. The "cigar and white kid glove gentlemen" had been spoken of. He ventured to tell hon. Gentlemen that this class of *attaché* was rapidly passing away. [*Laughter.*] He repeated the statement. He begged to say that he was as well acquainted with the profession as other Gentlemen, and that it was passing away. He wanted that class to pass away; and one of the recommendations of the Committee was, that there should be a stringent examination at the outset in order that they might obtain really first-class men. The hon. Member who stated that the profession was being overstocked could not have looked into the matter. If he had taken the trouble to glance over the Foreign Office List, he would have seen that the strength of a diplomatic corps was regulated entirely by the amount of work to be done. These young men were not idle. ["Oh, oh!"] There was scarcely a large embassy in Europe which did not complain of being overworked, and which did not call out for more *attachés*. The amount required might have been paid out of the surplus which was annually handed over to the Exchequer; but it was thought that it would be fairer and more straightforward to submit to the House the question whether or not these young men should be paid after four years' service.

MR. SCLATER-BOOTH hoped, that the hon. Member would press his Motion to a division. If it was intended to make a thorough change of the system, why should not these young men be paid at once without waiting for the completion of four years' service?

MR. CLAY said, that the unfortunate class of *attachés* seemed to be that night in a position of which he had frequently heard—that of receiving "more kicks than half-pence;" for not only did hon. Gentlemen refuse to give them any remuneration, but they laughed at the assertion of the hon. Gentleman the Under Secretary of State that they really had duties to discharge. From his own experience he could state that there was no class of gentlemen who were paid so little and worked so much.

Question put.

The Committee *divided:*—Ayes 73; Noes 60: Majority 13.

Vote *agreed to,* as were also the following Votes:—

(35.) £28,934 4*s.* 7*d.*, Revenue Departments (Post Office Services).

(36.) £25,587, Post Office (Packet Service).

House *resumed.*

Resolutions to be reported *To-morrow,* at Twelve of the clock.

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[BILL No. 207.]

CONSIDERATION. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [18th July],

"That the words 'Provided always, That it shall not be lawful to apply any of such sums to any work not specifically named in the Schedule, nor to apply to any work any greater sum than that which is set down in the Schedule as the total estimated cost of the work, nor for Her Majesty's Principal Secretary of State for the War Department to enter into any contract involving the expenditure in any district of a greater sum than is hereby and by the Act of the twenty-third and twenty-fourth years of Victoria, chapter one hundred and nine, authorized to be expended during the period ending on the first day of August, one thousand eight hundred and sixty-three, without inserting in such contract a condition that the same shall not be binding on the said Principal Secretary until it has lain for one month upon the Table of the House of Commons without disapproval; and the said contract shall have no force or validity until it shall have lain for one month upon the Table of the House of Commons without disapproval, unless previous to the lapse of that period such contract shall have been approved by a Resolution of the said House,' be added instead of the Proviso to Clause 2."

Question again proposed.

Debate *resumed.*

SIR GEORGE LEWIS moved the addition of the following proviso at the end of Clause 2:—

"Provided always, That it shall not be lawful to apply any of such sums to any work not specifically named in the Schedule, nor to apply to any work any greater sum than that which is set down in the Schedule as the total estimated cost of the work; nor for Her Majesty's Principal Secretary of State for the War Department to enter into any contract involving the expenditure in any district of a greater sum than is hereby and by the Act of the 23rd and 24th years of Victoria, chap. 109, authorized to be expended during the period ending on the 1st day of August, 1863, without inserting in such contract a condition that the same shall not be binding on the said Principal Secretary until it has lain for one month upon the table of the House of Commons without disapproval; and the said contract shall have no force or validity until it shall have lain for one month upon the table of the House of Commons without disapproval, unless previous to the lapse of that period such contract shall have been approved by a resolution of the said House."

SIR HENRY WILLOUGHBY opposed the Amendment, as it was of a very arbitrary character. It would give the Government power to appropriate the amount of the entire annual Vote for fortifications to any single work which formed an item of it. It would nullify the Schedule.

SIR GEORGE LEWIS said, that the hon. Baronet the Member for Stamford (Sir Stafford Northcote), was responsible for the proviso. It appeared in the form in which the hon. Baronet assented to it during a recent debate, some ambiguities only being removed. If it appeared to be unsatisfactory, he had no wish to insist upon it. He had agreed to it merely because he believed the Committee desired to have it.

Question put and *agreed to.*

Clause 20 (Accounts to be laid before Parliament).

SIR HENRY WILLOUGHBY moved, that "April" should be substituted for "July."

SIR GEORGE LEWIS moved, that "August" should be substituted for "July."

SIR HENRY WILLOUGHBY could not consent to the proposal of the right hon. Baronet. It was notorious that accounts rendered in July or August were perfectly useless. They were of no service unless supplied in the early part of the Session.

SIR GEORGE LEWIS said, he had no objection to adopt the hon. Baronet's suggestion.

Amendment *agreed to.* The word "April" substituted instead of "July."

Schedule *disagreed to.*

SIR GEORGE LEWIS proposed an amended Schedule, which he said was substantially the same as the one in the Bill.

Amended Schedule *brought up,* and read 1°; 2°.

SIR FREDERIC SMITH said, that many items did not now stand at the amount at which they stood before; this showed the loose manner in which these Estimates were made. Some of the items he must object to. The Puckpool and St Helen's batteries, in the Isle of Wight, were put down for an expenditure of £12,000 during the present year; but that expenditure involved the laying-out of £75,000 more to complete the works. These were to be mortar batteries, to be used against vessels passing at a considerable distance at the rate of fifteen or sixteen knots the hour. They could be of little or no use in such a position, and the money would be thrown away. The same might be said of the works on Portsdown Hill and at Plymouth. He believed that fire from mortars on ships in motion, except under special circumstances, would produce no great result; and, with regard to the batteries now in question, he did not think that they would have the least effect in deterring an enemy's fleet from forcing their way through Spithead. He proposed, as an Amendment, to strike out of the Schedule the sum of £12,000 for Puckpool and St. Helen's batteries.

Amendment proposed, to leave out "£12,000" (being the amount of proposed works, 1862-3, at Puckpool and St. Helen's Batteries, Isle of Wight).

Sir JAMES FERGUSSON said, that not being an artillery officer, he could offer no opinion on the probable effect of these batteries; but, having had practical experience of mortar fire, he could state that it was so disagreeable that no person, who had once been exposed to it, could avoid feeling a wholesome dread of it for the future. He believed the evidence before the Commission proved that by means of the improved fusees these batteries would be able to produce a most important effect on any squadron approaching Spithead.

Colonel DUNNE said, that it was well known that at Sebastopol the effect of bombardment by mortars was very trifling indeed. He believed that mortar firing was ineffectual at the distance of 1,000 yards.

Mr. AUGUSTUS SMITH complained of the Government commencing so many works at once. Those commenced ought to be completed before new works were begun.

Sir GEORGE LEWIS said, it might be very easy to find fault with any one particular work taken by itself; but it should be remembered that all these works formed a connected system, which had been arranged by competent authority, so that one work should bear upon and support another. The entire plan had been carefully considered, and, taken as a whole, was worthy of the support of the House.

Question put, "That '£12,000' stand part of the amended Schedule."

The House *divided:*—Ayes 73; Noes 44: Majority 29.

Mr. C. BERKELEY said, there was an arithmetical discrepancy in the schedule. The Government had either taken £70,000 too much or £80,000 too little. In two columns two sums were given of £3,200,000 and £3,580,000, together £6,780,000; and the sum which should correspond in the fourth column was £6,860,000. He did not know whether the difference arose upon the sum for the central arsenal. Another apparent error was in the amounts stated for land. In one place there appeared £430,000, and in another £670,000, together £1,100,000; but in the column which should correspond it was stated at £1,030,000. The sum for Cork, recommended by the Commission, was £120,000, but the sum in the schedule was £159,000. What was the cause of the increase?

Sir GEORGE LEWIS said, that what the hon. Gentleman called a discrepancy was explained by the fact that the Estimates of the Commissioners were not followed. This was a distinct estimate, and therefore there could be no inconsistency. Although alterations had been made in the schedule by stating £50,000 separately which had before been mixed up in different items, there was no substantial change. The columns were correctly stated. They added up, and they added across. He was unable to follow the hon. Gentleman's computation, by which he seemed to think that they were either too large or too small.

Mr. BERNAL OSBORNE asked whether there was no one on the Treasury Bench who could give them an explanation. They had heard the answer of the right hon. Gentleman, and they were much in the same position as before. The right hon. Baronet and the right hon. Gentleman the President of the Board of Trade told a meeting in Willis's Rooms on Wednesday last that there never was a time when peace was upon a more solid foundation. The evening passed very pleasantly in consequence of those assurances from two Cabinet Ministers; yet the Government came to the House for enormous sums of money for fortifications, and could give no explanation of a very confused account.

Viscount PALMERSTON thought the confusion was that of the hon. Member for Gloucester. The hon. Gentleman had utterly failed to explain what he called the discrepancy. The hon. Gentleman paused, hesitated, and did not know whether it was an increase or a diminution. The statement was so perfectly confused that he defied any man to know what it was about. His right hon. Friend had given the true account, that the amount was just right. Therefore the observations of the hon. Member entirely fell to the ground. As to his hon. Friend who spoke last, he had a sort of monomania on this subject, and did not seem any more satisfied after repeated defeats than before he entered the lists in this matter; but he thought the House, and he was sure the country, would justly appreciate the force of his hon. Friend's argument. Sincerely anxious that the country should have a powerful fleet, and feeling—because he presumed he must feel so after having reflected—that they could not have a fleet without dockyards, his hon. Friend came to the strange conclusion that the best way to have a strong fleet and to secure its possession was to leave the dockyards totally undefended. He left his hon. Friend to settle that argument with the country.

Sir HENRY WILLOUGHBY did not think that this was a question to be got rid of entirely by jokes. There were, so far as he could see, nineteen palpable errors in the schedule. A doubt was, therefore, thrown upon all the calculations of the Government, which ought, he thought, to be, as far as possible, explained.

Sir GEORGE LEWIS contended that those hon. Members who argued that the schedule contained particular errors were bound to point out in what those errors consisted, and also the manner in which they proposed that they should be rectified. It was impossible for him to explain away difficulties which he was incapable of apprehending. There never was such a schedule as that under discussion annexed to a Bill before. It was so annexed in obedience to the wish of hon. Members on both sides, and now that they had got it they did not seem to understand it. With respect to the site of the central arsenal, it was asked why the sum taken for it was not repeated? It was voted under the original Act; the money was still in the power of the Government, and no new sum having been taken for the purpose in the present year, it did not re-appear in the schedule.

Sir FREDERIC SMITH was ready to point out the numerous errors in the schedule; in fact, there was hardly a single item that was not palpably wrong. There was, for instance, in the first column a sum of £6,860,000, in the second column one of £3,200,000; and if the latter were deducted from the former sum, it ought to give the exact amount in the last column, which was not the case. The first sum represented the total estimated cost; the second sum the amount required for the present year, and the sum in the last column was the further amount which would have to be voted. But some blunder had been committed, so that the figures given in the last column were almost all erroneous. He had, upon a late occasion, found fault with the War Office clerks, who, according to ordinary practice, should have made out the estimates; but he now felt bound to apologize to them, inasmuch as he was informed they had not made out the accounts. He thought, however, the right hon. Baronet was bound to see that those accounts were correct. He might add, that inasmuch as he believed the expense for the construction of the proposed forts at Hilsea could be spared, seeing the number of forts that were to be constructed at Portsdown Hill, he should move a reduction of £20,000 in connection with the outlay for the former.

Amendment proposed, to leave out "£20,000" (being the amount proposed for works for 1862-3 at Hilsea Lines, Portsmouth).

Mr. AYRTON maintained that the schedule as it stood was palpably erroneous. The total in the first column was £6,860,000. In the second column the sum set down was £2,000,000, in the third column £1,200,000, and in the fourth column £3,580,000, the total of which was £6,780,000—leaving a discrepancy of £80,000. The discrepancy, he believed, arose in this way. The right hon. Baronet had introduced an item of £150,000 for the site of a central arsenal, which must be taken as an abandoned estimate, and which formed no part of the present calculation. But then there was a further error. The estimated cost of land was put down at £1,030,000; but the actual expenditure for land was put down at £1,100,000. This left an excess of £70,000; and if that were subtracted from the £150,000, it would give the sum of £80,000, and thus, by a compensation of errors, the discrepancy which had been pointed out was accounted for.

Sir GEORGE LEWIS repeated that the schedule was perfectly correct.

Question, "That '£20,000' stand part of the amended Schedule," put, and *agreed to.*

Mr. AUGUSTUS SMITH next moved the omission of the item of £50,000 for the north-east defences at Plymouth—works which, he contended, were not considered of first-rate importance by Sir John Burgoyne and other high military authorities.

Amendment proposed, to leave out "£50,000" (being the amount proposed for works for 1862-3 at the North Eastern Defences, Plymouth).

Sir GEORGE LEWIS said, that the course which had been adopted was very inconvenient—first to discuss all these items in Committee, and then to re-discuss them all over again on bringing up the Report.

Mr. AUGUSTUS SMITH said, that the works at Plymouth had not been discussed in Committee.

Sir GEORGE LEWIS said, that certainly there had been a great deal of discussion about the works at Portsmouth, and he thought at Plymouth also. He was not able to discuss the scheme critically, and he must leave the question to the decision of the Committee. It certainly had happened that in some instances the estimate for the purchase of lands by Government had been exceeded.

Lord ADOLPHUS VANE TEMPEST said, that the right hon. Baronet himself had urged that the details of this Bill might be considered in Committee. He thought the noble Lord at the head of the Government did not treat those who opposed these fortifications with fairness when he said they did not want a navy. What they said was that they ought to have an efficient navy, and not to expend the money on useless fortifications.

Sir JAMES FERGUSSON opposed the Amendment, believing that it was necessary to protect our arsenals, and that the proposed forts would enable a small military force to do the work of a larger one. He had no doubt that the country would appreciate the motives of the House in supporting the Government on the fortification question.

Question, "That '£50,000' stand part of the amended Schedule," put, and *agreed to.*

Amended Schedule *added.*

Bill to be read 3° *To-morrow,* at Twelve of the clock.

WEIGHTS AND MEASURES (IRELAND) ACT (1860) AMENDMENT BILL.

[BILL NO. 215.] CONSIDERATION.

Mr. BUTT moved that the Bill should be recommitted for the purpose of inserting clauses empowering grand juries to give compensation to dismissed Inspectors of weights and measures.

Sir ROBERT PEEL said, it was admitted that these charges could not be thrown upon the Consolidated Fund. Then, how could they justly be thrown upon the county cess, when it was clear that the Inspectors were removable at the pleasure of the grand juries? He hoped the House would not consent to the Motion of the hon. and learned Member.

Colonel FRENCH said, the understanding was, that if these parties had any claim to compensation, it should come out of the Consolidated Fund. He opposed the Motion.

Motion made, and Question,

"That the Bill be re-committed, for the purpose of inserting the following Clause (Compensation of dismissed Inspectors, and stamping of Weights and Measures),"

—put, and *negatived.*

Bill to be read 3° *To-morrow,* at Twelve of the clock.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, July 22, 1862.

Minutes.]—Public Bills.— 1ª Turnpike Acts Continuance; Fortifications (Provision for Expenses); Local Government Supplemental (No. 2); Weights and Measures (Ireland) Act (1860) Amendment; Copyhold, &c. Commission.

2ª Indemnity; Thames Embankment; Jamaica Loan (Settlement); Merchandise Marks; Turn-

pike Trusts Arrangements; Windsor Castle (Bakehouse).
3ª Pier and Harbour Orders Confirmation; Inclosure; Industrial and Provident Societies; Council of Medical Education.

COLONIAL FORTIFICATIONS.

EXPLANATION.

THE EARL OF CARNARVON regretted to have to trouble their Lordships with a matter of personal explanation; but the noble Duke the Secretary for the Colonies having disputed the accuracy of some figures he had given in the Debate on Colonial Fortifications on Friday evening, and as his statement might possibly have given rise to some misapprehension, he was anxious to state at the earliest possible moment, having ascertained the facts, what those facts were. It would be recollected that on the occasion referred to he stated that there had been a considerable increase in several successive years in the public expenditure as connected with the class of Estimates commonly called colonial. His statement so far was perfectly accurate; but it had no direct bearing on the point at issue, namely, colonial fortifications, nor did he draw any inference from the figures he quoted bearing upon the subject, or intend to make any accusation against the Government. The figures he quoted were perfectly correct, and had been taken from official sources; but he felt that as they were quoted they might have given rise to some misapprehension. If he was understood to mean that those figures expressed the total aggregate expenditure under that particular class of Estimates for several successive years, he had nothing to vary or correct; but if he was understood to say (and he feared he had been so understood) that these figures represented the civil colonial expenditure of this country for several past years, that would be an incorrect impression and would lead their Lordships into error. These Estimates comprised not only colonial, but likewise consular and diplomatic expenditure. But he was wrong in this—that until he had an opportunity of looking into the official documents he was not aware how very large a proportion of those charges were brought into the consular and diplomatic side of the account. The figures he gave were the sums total of these combined services, and not those belonging to the civil colonial service only. He therefore asked permission to withdraw the statement he had made in so far that these charges were confined to the civil and colonial expenditure, but not as to the figures quoted being the totals as they appeared in the Estimates.

THE DUKE OF NEWCASTLE: My Lords, after what my noble Friend has said, I should be perfectly content, so far as I am individually concerned, to leave the matter as he has now placed it. But there are some interests which are more important than anything which relates to an individual, and this is one of them. There is a very general impression abroad that the colonial expenditure of this country has been for many years greatly increasing in all the departments, and that impression the statement made by my noble Friend on Friday last, considering the position which he held under the Government of the noble Earl (the Earl of Derby) was calculated to strengthen. When my noble Friend made that statement, being taken by surprise by a reference to colonial expenditure on that occasion, I could only tell the House that I felt certain that my noble Friend was inaccurate, and that he was mixing up with the civil colonial expenditure a great many other charges included in the Civil Estimates No 5. I said, at the same time, I was quite certain that so far from the civil expenditure of the colonies having increased since 1856, and being still increasing, it had been diminishing, although not very rapidly, for some years past. I was perfectly accurate in what I stated on that occasion, although I spoke only from recollection. The statement made by my noble Friend was, that the Civil Colonial Estimates were in the year 1856 £320,000, and that they had swelled until in 1862 they had grown to the enormous amount of £937,000. In these figures my noble Friend had, as I supposed, not confined himself to the civil colonial expenditure, but included such items as Treasury chest, £242,000; captured negroes—bounty on slaves, £55,000; commissions for suppression of the slave trade, £10,000; consuls abroad, £167,000; services in China, Japan, and Siam, £86,000; North American boundary commission, £40,000, and other such charges. Not one of those charges has any more connection with the expenditure of the colonies than with that of the Home Department. Commencing with the year 1856, my noble Friend stated the colonial expenditure for that year to be £320,000. My Lords, the real amount is £122,000, and this includes every item that can be brought under the head "Colonial Expenditure." Your Lordships will see how liberal I am in my admissions when I include among the colonial charges such items as the "Emigration Office," which is really kept up much more for the convenience of the inhabitants of this country than for those of the colonies. The amount of the item is £10,000. I have also included a sum of £4,200 for Bermuda, which is a military garrison. My noble Friend stated the amount for 1862 to be £937,000. The real amount for the civil colonial charges is only £113,000. The grants for 1862 display a great excess over those of 1861, but that excess is wholly caused by two special items—namely, £55,000 for the purchase of Vancouver's Island, and £79,193 for British Kaffraria arrears. If these sums were added, they would swell the grants to £247,648; but deducting them, as they are not fairly chargeable to the year, the total amount is only £113,000, instead of £937,000, the sum stated by my noble Friend. One word more, my Lords. I stated, on a former occasion, that these colonial expenses were gradually diminishing. In 1856, the grants for colonial purposes were £123,000; in 1857, £185,000; in 1858, £141,000; in 1859, £183,000; in 1860, £163,000; in 1861, £112,000; and in 1862, £113,000. I think therefore I have clearly shown to your Lordships that though I was unprepared at the moment to answer my noble Friend, I did not deceive your Lordships as to the real facts of the case. I should not have thought it necessary to enter into the subject if I did not know that a mistaken impression has existed in the country on the subject of those colonial charges.

THE EARL OF CARNARVON thought his noble Friend the noble Duke might have been satisfied with his explanation. The gist of that explanation was, that he feared he might have led the House to suppose that the civil colonial expenditure amounted to £937,000; and that if he had done so, he wished to correct that impression. But he could not assent to the correction of the noble Duke. His (the Earl of Carnarvon's) statement was undoubtedly incorrect, in so far as it might seem to warrant an inference against civil colonial expenditure from the figures he had quoted, but was not so incorrect as the noble Duke would now make out. Many of the items which the noble Duke would now deduct, he (the Earl of Carnarvon) thought he was perfectly justified in treating as expenditure for colonial purposes. For instance, there were items in the years 1860-1 and 1861-2 for expenses connected with the Zambezi and the Niger. In the year 1860-1 there was a sum of £6,330 for North American exploring, and in 1861-2 a sum of £60,000 for expenses in connection with the North American boundary, which were obviously charges incurred for colonial rather than British interests. There was a sum of £247,600 set down as the total of Classes V. and VII. for the year 1862-3. Adding to that sum two items of £1,500 and £40,000 for the Niger and the North American boundary, they had a total of £289,000, instead of 113,000, for the present year. When these and similar items were included in the amount of civil colonial expenditure, it would be found that this expenditure had not only not decreased, but had been annually increasing.

THE DUKE OF NEWCASTLE thought he had said nothing whatever to reflect on his noble Friend. In referring to what had been stated by the noble Earl on a former evening, he had not depended on his own memory only, but had referred to the report in *The Times.* Up to within the last two years the several colonial Estimates were included in two different Votes.

THE EARL OF MALMESBURY wished to know how it was that the diplomatic and consular Votes were mixed up with the colonial.

THE DUKE OF NEWCASTLE would draw his noble Friend's attention to the fact that there were several different headings, such as "colonial," "consular," and "other foreign services."

THAMES EMBANKMENT BILL.

[BILL NO. 187.] SECOND READING.

Order of the Day for the Second Reading read.

LORD STANLEY OF ALDERLEY, in moving the second reading of the Bill, said, that it had long been considered a most important undertaking to embank the river Thames. That embankment was now rendered more necessary by the adoption of the scheme for carrying the low-level sewer by the side of the river, rather than breaking up the Strand for that purpose—a course which could not fail to be attended with the greatest possible inconvenience to the whole traffic of the metropolis. Various schemes had been from time to time proposed for carrying out the design of the embankment, but they had all failed, until in 1861 measures were adopted by the Legislature for the purpose, which had rendered the present Bill necessary to enable them to be carried into effect. He trusted that the present plan would be more fortunate than its predecessors, and that the result would be to render our noble river once more that object of beauty and pleasure that it was to our ancestors.

Moved, That the Bill be now read 2^a.

The Duke of BUCCLEUCH said, that under ordinary circumstances he should have remained silent, and he only troubled their Lordships now because his name had been brought forward, both in Parliament and in public, in a most unfair manner in connection with this subject. He was not going to offer any objection to the Bill, nor did he object in any way to the embankment of the river; but he thought he was entitled to a few words of explanation in order to set himself right with their Lordships, by placing before them the exact position in which he stood in respect to the matter. As their Lordships very well knew, he was one of the lessees under the Crown of some property situated on the bank of the river at Whitehall, a short distance from Westminster Bridge. A good many years ago—in 1837—long before the question of the embankment of the Thames was started at all, he applied for a renewal of the lease; but very shortly afterwards the question of the improvement of the river, and the best means of remedying the inconvenience occasioned by the overcrowded state of the Strand, and the constantly increasing state of the traffic, was started, and the consideration of his application was deferred until this question of the embankment should have been settled. Upon several occasions he renewed his application; but so much delay was interposed, that he had almost despaired of getting a renewal of the lease at all. At one time the decision was delayed owing to the doubts as to the carrying-out of the embankment; at another, from a question as to the site of the new Westminster Bridge. At length—he believed in 1842—a Commission, of which the noble Duke opposite (the Duke of Newcastle) was chairman, was appointed to report on the Embankment of the River Thames. After a delay of two years the Commission reported in favour of a scheme for embanking the Thames, which contemplated the formation of an Embankment from Blackfriars Bridge to Scotland Yard, and a road from Scotland Yard to Whitehall. That recommendation was made after a full inquiry, and without any attempt on the part of any one that he knew of to bias the minds of the Commissioners either one way or the other, and he and the other Crown lessees rested under the impression that, as far at least as the road was concerned, their recommendation would be acted upon. But the House of Commons did not depart on that occasion from its almost invariable practice of throwing over the whole of the recommendations of the Commissioners; and when, in 1861, another Commission was appointed to consider how far these improvements could be carried into effect, so as to relieve the crowded streets, a memorial was presented by the Crown lessees to the First Commissioner of Woods and Forests, praying the Board to take into consideration the position of the lessees with respect to the injury which was likely to be done to their property. On the part of the Woods and Forests Mr. Pennethorne, their official architect and surveyor, and Mr. Norton, a surveyor of great eminence, with whom he (the Duke of Buccleuch) was not personally acquainted, on the part of the lessees, were examined before the Commission, and gave evidence; and Mr. Pennethone then stated that, in his opinion, a better line of road could be made than by continuing the road by the side of the Thames from Whitehall on to Westminster Bridge. That plan, in his opinion, was open to grave objections; the road would have to be made on a considerable incline, and coming on to Westminster Bridge just opposite the Speaker's house, the two lines of traffic would be at right angles. Not that it would signify about two streets being at right angles; but it was apprehended, that as two great lines of traffic would pass along these streets and here meet together at right angles, and on a steep incline, great inconvenience, if not actual danger, would result. The object being to have a continuous line of traffic in the direction of Victoria Street, Mr. Pennethorne suggested that it would be better that the road should be continued through Scotland Yard and Whitehall, across the end of Parliament Street, and right on to Victoria Street. When the question came before Parliament this Session, the Crown lessees took it for granted — at least, he did for one — that that plan of Mr. Pennethorne's, being the only one which they knew anything about, would also be submitted to Parliament. The lessees were perfectly aware that even this scheme would interfere injuriously with their property, on account of the noisy thoroughfare which it would create, but they saw that it was not so bad as having a road interposed between their gardens and the river. It was a choice of two evils, and naturally they chose that which they deemed the lesser. However, another plan was submitted by the Commission to the Lords of the Treasury, who declined to give any opinion as to which would be the preferable line—that by the river side or by Whitehall—not wishing, as they said, to prejudice a matter which was to come before Parliament. The lessees of the Crown did not petition against the embankment of the Thames—they never dreamt of such a thing—but they did object to have a road carried between their property and the river, and they thought they had shown that there was another plan which, on public grounds alone, was preferential, although it did to a certain extent injure their property—they chose what they considered the least of two evils; and believing that the adoption of the road carrying the embankment on to Westminster Bridge was not of such public convenience as to warrant interfering with their rights, they had considered that the line of route had been settled by the plan of Mr. Pennethorne; but after what had passed they certainly expected that two schemes would be presented to the Select Committee, one that recommended by Mr. Pennethorne, the other that now before the House. To their great astonishment, however, they found that one scheme, and one only, was to be submitted to the Committee—that which recommended for adoption the plan of carrying the embankment on to Westminster Bridge by a road constructed between their property and the river. That was the scheme which was embodied in the present Bill. That being so, a Motion was made in the House of Commons for the production of the Correspondence on the subject for the purpose of getting Mr. Pennethorne's proposal officially before them. On that occasion the First Commissioner of Works, who was the Chairman of the Committee, stated that the Correspondence was very voluminous, but that he would look through it and see whether it was necessary to produce the whole of it. In the Select Committee, also, his (the Duke of Buccleuch's) counsel applied for the production of the Correspondence. On the next morning, however, the Chairman said that it contained nothing important or material to the case, and therefore refused to produce it. The lessees felt that it was of great importance that the alternative scheme should be brought under the notice of the Committee, and the only way in which it was now possible to bring the matter before the Committee was to call before them Mr. Gore, Mr. Pennethorne, and others, in order to prove the plans and the Correspondence which had taken place between the officers of the Crown and the lessees. This was accordingly done, and Mr. Pennethorne's scheme was thus laid before the Committee. It was afterwards said that that course was taken at the last moment, and completely took the Committee by surprise; but the fact was, that it was what was desired most earnestly by the lessees, and every effort was made by them to have it produced, but their attempts were always rendered futile. At last a Motion was made in the House of Commons to the effect that the Correspondence should be produced, and was carried against the Government. Only a portion of it, however, had yet been produced, and therefore he was addressing their Lordships under considerable difficulties, because the Correspondence which he wished to refer them to was not yet in their hands. He might, no doubt, have made the absence of these papers a ground of objection against proceeding with the second reading of the Bill that evening, but at this period of the Session such a course of proceeding would be most injurious to the Bill, and all he wanted was to state to their Lordships that he conceived that his name had been made use of in respect to this Bill in the most improper and unjustifiable manner. As to the attacks in the newspapers, he did not care one farthing about them, whether they assumed the shape of anonymous articles or anonymous letters; but he did wish to put himself straight with their Lordships, and to say that he did not wish to make any obstructive opposition to the Bill before them. He was quite ready to admit that the embankment of the Thames was a work of very great importance, and that it was of the utmost consequence to relieve the overcrowded streets, although he did not approve of the exact manner in which it was proposed to effect that object. He could not help thinking that the present access to the City and the Strand was a disgrace to the metropolis. It was a disgrace that of all the noble structures which spanned the Thames from London Bridge to Kew only, three—London Bridge, Blackfriars, and Westminster—were free. If Southwark Bridge and Waterloo were thrown open to the public, a great relief would be afforded not only to the other bridges, but to the Strand and other streets. Every one must see that the toll on Waterloo Bridge especially deterred the traffic from passing over that magnificent structure; and that if the toll were removed, instead of a solitary carriage now and then, they would find that bridge almost as much crowded as Westminster Bridge itself, while the long thoroughfare through the Strand would be very much relieved; nor could anybody doubt, that with respect to heavy traffic, where time was not of so much consequence, much of it was deterred from passing over Waterloo Bridge by the toll. He certainly thought it due to himself to take the opinion of the Select Committee of the other House; but inasmuch as the House of Commons had chosen to overrule the decision of its own Committee, and by a considerable majority expressed their opinion that this was a case in which private interests must give way before a great public necessity, he could only bow to their decision. He had been reported as having said that nothing should ever induce him to yield; but this arose entirely from a misapprehension of the tenor of his evidence. In conclusion, he repeated that he would offer no opposition to the second reading of the Bill, and he thought it due that he should make this explanation.

THE EARL OF DERBY: I think it very injurious to the progress of business to discuss the merits of the scheme on this stage of the Bill. The noble Lord who has charge of the Bill has very ingeniously confined his remarks, in moving the second reading, to the one part of the measure on which there has never been any difference of opinion—the necessity for the embankment. To the only point on which there has been any controversy—how that embankment should be carried out—he carefully avoided any allusion. I am glad to find that the noble Duke (the Duke of Buccleuch) has taken this opportunity of setting himself right with your Lordships and the public at large upon this matter; but I certainly think he has good reason to complain of the course which has been pursued by Her Majesty's Government. I cannot refrain from observing that that course has not been calculated to promote the public service. It has presented another repetition of that of which we have often had so much cause to complain, namely, differences of opinion and quarrels between two public Departments, and an absence of any overruling power to control their differences and decide upon their misunderstandings. Your Lordships will see from the papers which have been published that a somewhat angry controversy has taken place between two Departments of the Government, not with regard to the merits of individuals, but with regard to the merits of the scheme itself. At a very early stage you will find that the Commissioner of Woods considers that the alternative plan which he proposes, irrespective of the interests of the Crown or of the Crown lessees, was infinitely more advantageous for the public than that which received the countenance of the Commissioner of Works. I think it would not have been unnatural under those circumstances that the Government, as a Government, and more especially as they recognised the duty of taking the management of the affair in their own hands, and not leaving it to be dealt with by the Metropolitan Board of Works, I think it would not have been unnatural that the Government should have decided between these two conflicting Departments, and should have proposed in their own name a scheme for carrying out this great national undertaking. But they did neither one thing nor the other; for they professed to leave the whole matter to the impartial decision of Parliament, and then they introduced the plan which was recommended by the Commissioner of Works, and they absolutely excluded from the consideration of the Committee the plan which was sanctioned by the other Department. I think the Government ought from the commencement to have made up their minds upon the subject; and if they were not prepared to pursue that course, they ought to have left the matter to be decided by the Committee of the House of Commons. I believe it can hardly be said that in the mode in which they have dealt with the question they have held the balance evenly, as they professed to do, between the two Departments. After a very considerable length of time, and after seeking to withhold the alternative plan proposed by Mr. Pennethorne, they were compelled to produce it ; and on its production the Committee—I do not say rightly or wrongly—upon that I pronounce no decision—the Committee to which the subject was referred, and which was appointed by the Government themselves, with the addition of five members chosen by the Committee of Selection, for the purpose of obtaining a perfectly impartial tribunal, voted for that alternative plan, and against the scheme recommended by the Government. A series of insinuations and of most discreditable imputations were then cast on the gentlemen who had come forward, as they were asked to do, to give evidence with respect to the two proposals, and to state their views of their respective merits. Forthwith there proceeded from the press a number of most violent tirades, directed more especially against my noble Friend (the Duke of Buccleuch), who was only one Crown lessee among many—including also Mr. Horsman and Sir Robert Peel, all of whom had a great interest in the matter —and who had stated their case as they would have been entitled to do before a Committee on a Private Bill. The Committee decided in their favour. Again, a series of imputations and insinuations as to motives were made, a considerable amount of public excitement was got up, and the Government, I am sorry to say, in the course of the discussions which ensued, seem to have given way to that excitement, and to have rather encouraged than discouraged those hostile criticisms. It is a fair subject for consideration which of the two plans might be most advantageous to the public service and least injurious to private interests. I confess that, for my own part, if I had been in the position of the noble Duke, I should have thought Mr. Pennethorne's diagonal plan would be a greater nuisance and a greater source of inconvenience to me than the one recommended by the Commissioner of Works. But that is a matter of opinion. I must also say that I think it would be more convenient if the Government, in calling upon us to discuss a question of this kind, had laid before us a plan of the proposed works, so that we should not have to consider them in absolute ignorance of the line which the embankment is to follow. I repeat that I do not profess to give any opinion with regard to the merits of the conflicting schemes. I certainly looked over the ground a day or two ago. I went to the corner of Westminster Bridge in order to see how the roadway might be carried on to the embankment, and it struck me that there would be at that point a very inconvenient incline, and an equally inconvenient meeting of two lines of traffic. Moreover, as a matter of beauty, I have always thought that the great merit of an embankment was that it should be perfectly level, and that it should present no sudden rise ; but if I understand anything of the plan of this work, it will have to be raised rapidly before it reaches the bridge to a height of eleven feet, and that elevation must be supported, I suppose, by a retaining wall abutting on the river, than which I can conceive no more disagreeable effect. The House of Commons, however, and Her Majesty's Government, have decided on adopting that plan, and I apprehend that your Lordships will not offer to it any opposition. I am sure that at the same time you will one and all do justice to the temperate manner in which my noble Friend has come forward and stated the circumstances to which exception has been taken, and has said not only that he would offer no opposition to the scheme, but that he was perfectly ready to make any sacrifice of his private interest to the public convenience. And when people look back at the whole of these proceedings, I think they will see that my noble Friend has had but scanty justice dealt out to him, and that he deserved, not the obloquy which has been cast upon him, but the gratitude of the public for the frank and temperate manner in which he has stated his views and abandoned what he regarded as his own interest for the sake of promoting their advantage.

EARL GRANVILLE said, he thought that his noble Friend (Lord Stanley of Alderley) had exercised a very wise discretion in not entering upon details in proposing the second reading of the Bill, and in not introducing unnecessary topics which might have excited some feelings of irritation. With regard to the Government, they were free from blame. They proposed a plan, which was referred to a Committee, and the Committee having decided upon an alteration, the House of Commons restored the Bill to its original shape. He believed their Lordships were all agreed that the course pursued by the noble Duke (the Duke of Buccleuch) was perfectly straightforward and honourable, and he thought that nothing could be more honourable or straightforward than the way in which he had accepted the determination of the other House and abstained from endangering a useful and important public measure by offering opposition. The scheme was one of the greatest possible importance, and he hoped now that the Bill would become law in the course of the present Session.

The Earl of MALMESBURY said, that with regard to the course taken by the noble Duke in the matter, he could only state his belief that that course was in unison with the character he had borne throughout his whole life. He should, at the same time, express his regret that when the House of Commons had to decide on the best mode of carrying out that embankment, circumstances had arisen which had prevented them from considering it in the calm manner that must have been desired. For his part, he could conceive nothing more unsightly or more unsafe than the way in which it was proposed that the new road should abut on Westminster Bridge. It would there form a very steep incline, and he believed that great inconvenience must arise from the meeting of lines of traffic at such a spot, where it would be peculiarly difficult to manage horses bearing heavy loads. He therefore thought it would be better that some such plan as that proposed by Mr. Pennethorne should be adopted. But the whole subject of the inconvenience created by the overcrowding of traffic in the streets of the metropolis was one which required the most careful consideration of the Government, and he believed that the best mode of meeting the difficulty would be to adopt some such regulation as that which was employed in Paris, where all materials of great length and weight were only allowed to be carried through the streets between the hours of ten or eleven o'clock at night and six o'clock in the morning. By that means it would be impossible that we should have such a stoppage of our thoroughfares as that which he had witnessed the other day, when a long line of traffic was brought to a standstill for a quarter of an hour or twenty minutes by an enormous mass of timber, which could not be turned without sweeping the street from one side to the other.

Lord REDESDALE said, he hoped, in connection with the subject of the embankment, the necessity of improving Parliament Street would not be lost sight of. They could not erect the new public offices in such a street as King Street. When the proposal for building those offices was first made, he called attention to the necessity for purchasing the adjacent ground, and every year he saw some old house pulled down and a new one building up there, so that the purchase of the ground was every day becoming more expensive. The widening of Parliament Street would be a greater improvement and a greater relief to the traffic in that neighbourhood than even the embankment of the Thames. He thought it important that the question of the embankment should be considered without prejudice, for much prejudice on the subject had been excited in the public mind. He was himself convinced that the alternative plan, if carefully considered and properly carried out, would afford most accommodation to the public. He would suggest that there should be no haste with regard to the completion of the work at once. He thought it would be desirable that the first operations should be confined to the most valuable part of the plan—namely, that portion of it between Whitehall and Blackfriars Bridge. He trusted that Government would have the courage next Session to ask money for the widening of Parliament Street. It might possibly be seen by that time that that was the greater improvement of the two. Instead of rebuilding Blackfriars Bridge, he would suggest that by taking down one unsafe pier—for the rest of the Bridge appeared perfectly sound—and by rebuilding that pier and two arches connected with it, they might, probably, save £150,000 or £200,000, which might be made available for some other improvement, such as the embankment on the Southwark side, or the proposed new street, which, he believed, was now abandoned, from Blackfriars Bridge in the direction of St. Paul's and the Mansion House. One of the great objections to the embankment was the difficulty of getting to it from the West, without going down the Strand a long way. A sloping street from the end of Duncannon Street across Villiers Street and Buckingham Street to the embankment, would be a great convenience for vehicles coming from the West End; and unless that accommodation should be afforded, all that traffic which tended so much to crowd the Strand would have no direct approach to the embankment, and must continue in its present course. It would be very desirable, in considering this question, that it should not be supposed that the whole matter was finally settled by any plan that might be adopted during the present Session, but that the public mind might be left perfectly free to adopt a better plan, if a better one should be proposed.

Lord LLANOVER said, in 1856 he had the honour of presiding over a Committee of the House of Commons appointed for the purpose of considering the subject to which his noble Friend had referred, and that Committee came to the resolution that it would be exceedingly desirable that the whole of the land between Downing Street and Great George Street should be purchased. Some eminent engineers were examined before the Committee, and they were of opinion, that if the property was purchased, good interest would be got for the money expended, and that ultimately there would be a great saving when the ground was required for the public offices. A Report was made accordingly; and in consequence of that Report he was desired to issue a notice for plans for the improvement of that part of the metropolis. Rewards were offered to different competitors, and one excellent plan was produced for laying out the ground. But what had happened since? The whole scheme for the purchase of the property had been given up. The natural consequence was, that when the Government came forward to purchase a small piece of ground, up went the value of all the adjacent property. The scheme recommended by this Committee involved the widening of the street from the Treasury Buildings to Bridge Street—an improvement which would ultimately have to be made—and he hoped the Government would consider the expediency of introducing a Bill next Session for acquiring that space, whether it was to be used immediately or not. He had no doubt that the embankment of the Thames was not only desirable, but that it would be a great improvement; but if it were carried out on the north side, it ought to be carried out on the south side simultaneously, otherwise the whole of that side would be thrown under water in consequence of the contracted passage through which the stream would have to pass. Still, he was afraid the traffic of the metropolis would not be so much improved by this scheme as was expected by many—the greater part of the traffic which passed through the Strand came from Belgravia. He believed, that if Mr. Pennethorne's alternative plan had been placed before the Committee of the House of Commons at an earlier stage of the proceedings, it would have been received with more favour. Their Lordships certainly ought to have that plan before them, and they would then be in a much better condition to judge of the matter. If the embankment were made as now proposed, it ought to be accompanied with the opening of a broad road up Parliament Street. For this purpose the Government should at once take steps to acquire all the requisite space, for nothing could be more costly than buying small pieces of ground for momentary use, and then being compelled to make further purchases. Every such purchase enhanced the value of the land in the neighbourhood, and in the end the Government had to pay a great deal more for what they wanted.

The Earl of DERBY said, he entirely agreed with the noble Lord who had just sat down, that it would be more expedient and more economical for Government to take the more extensive view which he put forward, if they could get the House of Commons to agree to it. He regretted that the plan of the noble Lord had not met with more favour than it did, but its fault was that it was too perfect and too matured. The noble Lord had proposed to lay out £2,000,000 on the purchase of the land, and to raise thereon an elaborate scheme of public offices. The largeness of the expenditure on the purchase of the land, involving, as it was supposed to do, a corresponding outlay on buildings, was the reason why it had not been adopted. He believed himself that if the land had been purchased and the present buildings left untouched till the ground was required for the laying-out of new streets, a large portion of the expenditure would be saved or recovered, owing to the increased value given to the land. He also concurred in the opinion of the noble Lord that it was more desirable, as well as more economical, to obtain large plots of ground at once instead of purchasing it bit by bit.

Lord STANLEY of ALDERLEY, in reply, said, that many of the suggestions which had been thrown out in the course of the debate were well worthy of consideration.

Motion *agreed to:* Bill read 2^a accordingly, and *committed:* The Committee to be proposed by the Committee of Selection afterwards.

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the Consideration of the said Bill; (viz.),

The LORD STEWARD (Chairman),
The Earl of POWIS,
The Viscount DE VESCI,
The Viscount STRATFORD DE REDCLIFFE,
The Lord SILCHESTER;

—*agreed to;* and the said Lords *appointed* accordingly: The Committee to meet *To-morrow,* at Eleven o'Clock; and all Petitions *referred* to the Committee, with Leave to the Petitioners praying to be heard by Counsel against the Bill to be heard as desired, as also Counsel for the Bill.

JAMAICA LOAN (SETTLEMENT) BILL.

[BILL NO. 199.] SECOND READING.

Order of the day for the Second Reading read.

THE DUKE OF NEWCASTLE, in moving the second reading of this Bill, said, that the circumstances which had led to the original grant of the loan of £200,000 to the colony had been so recently fully discussed in that House, that he need not trouble their Lordships with any repetition of them. He looked upon this Bill as the complement of the measure of 1854. It would carry into effect the proposal of his noble Friend (Lord Taunton), and be attended with two important results. It would provide a certain fund, by which measures of importance of a local character might be carried into effect at the discretion of the Government; and, further, it would accomplish another most desirable object—namely, that of placing the Governor in independence of those who voted the supplies.

Moved, that the Bill be now read 2^a.

THE EARL OF DERBY said, he was not going to oppose this Bill, which he thought had become necessary in order to carry into effect the recommendations of the noble Lord opposite (Lord Taunton); but there was one point on which he should be glad to have some explanations from his noble Friend at the head of the Colonial Department. As he understood the measure, its object was to sanction the application of certain money to be raised under an Act which the colonists were intending and expecting to pass, and which he had no doubt they would pass. But this Bill would not come into operation till the colony should have passed that Act. The noble Duke had suggested that it might be expedient for the colonists to avail themselves of an Act which they passed in 1860, and in respect of which a doubt had been raised. Sums of money were raised under that Act for the expenses of the census and other important objects. Owing to the doubt raised in respect of the measure of 1860, no payments had been made under it. He did not see in the Bill before their Lordships any provision by which a retrospective operation could be given to it, so that payments which had already become due might be made by the colonial Legislature. Would not a retrospective operation be necessary in order that payment might be made of certain liabilities incurred under the Secretary of State's Warrant?

THE DUKE OF NEWCASTLE said, his noble Friend was quite right. This Bill would not have a retrospective operation, but the omission was intentional. It had been considered that in a measure introduced by the Imperial Government it would not be right to interfere with money already in the hands of the colonial Government. He was not sure that the time for sanctioning the colonial Bill referred to by his noble Friend had expired. Either in the Bill which the colony would pass consequent on this measure or in some other Bill the colonists would insert a provision having a retrospective effect, in order to appropriate the money raised under the operation of the colonial Bill, in the case of which the sanction of the Crown had been suspended.

THE EARL OF DERBY observed, that in the course of the correspondence the objection was taken by the Treasury that in all these cases it was necessary that the legislation of the Imperial Parliament should precede that of the colonial Parliament; and what he wanted to know was whether this Bill gave its sanction to retrospective legislation; for if not, would not the same objection again occur when the colonial Legislature passed their Bill? He wanted to know whether the present Bill gave sanction to retrospective legislation.

THE DUKE OF NEWCASTLE said, he had ascertained that there would not be upon the part of the Treasury any objection to give the sanction of the Crown to the appropriation of the money which had accrued during the two years; and he should, therefore, himself feel authorized to give the sanction of the Crown without again referring to the Treasury.

THE EARL OF DERBY was delighted to hear that the Departments had come to terms.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at Seven o'clock, to Thursday next, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, July 22, 1862.

MINUTES.]—PUBLIC BILLS.—1° Militia Pay; Union Relief Aid; Corrupt Practices Prevention Act Continuance.
2° Polling Places (New Shoreham, &c.)
3° Fortifications (Provision for Expenses); Weights and Measures (Ireland) Act (1860) Amendment; Copyhold, &c. Commission; Local Government Supplemental (No. 2).

SUPPLY—CIVIL SERVICE ESTIMATES.

REPORT.

Resolutions *reported.*

SIR HENRY WILLOUGHBY took the opportunity of asking the Secretary for the Treasury, whether it was intended for the future that in the case of all charges connected with Civil Contingencies, they shall form the subject of special Votes to be brought before the House.

MR. PEEL said, that under the new system every change relating to Civil Contingencies would be made the subject of a distinct Vote.

SIR HENRY WILLOUGHBY said, he also wished to draw attention to the fact that there was no detailed estimate of the Militia Expenditure, similar to that of the Army Expenditure furnished in the Estimates on the authority of the War Office, and wished for an explanation.

SIR GEORGE LEWIS said, the expenses of the Militia stood on quite a different footing from the expenses of the Army. The Militia Estimates were not in form prepared under the authority of the Crown. They were kept quite distinct from the Army Estimates, and were formally prepared by a Committee of that House. In former times, the privilege of the direct control of the House over the expenditure upon the Militia was highly prized as one of the safeguards of the liberties of the country, the Militia force being considered a constitutional force as distinguished from the King's standing army. Of late years that feeling had undergone an entire change in consequence of the control which the House had acquired over the regular army in Committee of Supply, and there did not seem any very good reason for keeping up the distinction in the mode of preparing the Estimates. It was not, however, a matter on which the Government could with propriety initiate any change; but if the House were to express an opinion that it would be desirable that the Militia Estimate should be prepared by the executive Government, and should in some manner be embodied with the ordinary Army Estimates, it seemed to him that that would be an improvement in their practice, and would lead to a clearer view of the entire expense of our military establishments. They did vote in the Army Estimates the expenses of the Yeomanry and of the Volunteers, and it seemed the practice had been to give a fuller account of the expenditure included within the Army Estimates than of that for the Militia. The accounts for the Militia were kept in the War Office; and if it were the wish of the House that a fuller account should be presented, there would be no difficulty in complying with that desire.

SIR DE LACY EVANS thought it would be better that the Militia Estimates should be embodied with the other Estimates of the Army, and would recommend the Secretary for War to make this change without waiting for a Vote of the House.

SIR GEORGE LEWIS wished to explain that the Militia Estimates were in fact prepared in the War Office, and were afterwards assented to by the Militia Estimates Committee. The proceedings of that Committee were therefore to a great extent formal.

Resolutions *agreed to.*

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[BILL No. 207.]

THIRD READING.

Order for Third Reading read.

SIR GEORGE LEWIS moved that the Fortifications (Provision for Expenses) Bill be now read the third time.

SIR FRANCIS GOLDSMID said, that having generally voted in the minority on all occasions respecting this measure, he wished to repudiate the charge brought against him and those with whom he acted, that they had any intention of treating the Defence Commission and its Report with the slightest disrespect. He denied that the recommendations of the Commission had been carried out in the Bill, and therefore the absurdity of the charge was obvious. When they found such men as Sir John Burgoyne, Sir Frederic Smith, and other eminent authorities differing in opinion from the other members of the Defence Commission, those with whom he acted felt that they had a perfect justification for the course they had taken. He would again urge upon the consideration of the House that many of the works recommended by the Commission were wholly unnecessary; and he trusted the Government, would see the propriety of still further reducing the proposed scheme of fortification.

SIR DE LACY EVANS said, he was a zealous supporter of the policy of placing our dockyards and arsenals in a proper state of defence; but he held that a superfluity of defence was almost as objectionable as an entire absence of defence. No one could dispute the right of civilians to express an opinion on these subjects. The greatest improvement that had been effected in the armaments of this country had originated with a civilian, Sir William Armstrong, and the Government had recognised the value of the opinion of civilians by making one a member of the Defence Commission, and by placing upon that Commission Members who had had no practical experience of warfare. The Government had itself indicated an opinion, that the recommendations of the Commissioners were in excess of the requirements of the country by reducing their scheme of fortifications to a considerable extent. They had reduced, for example, from ten to five the number of forts proposed to be constructed on Portsdown Hill; but even five forts were, he could not help thinking, more by two or three than were necessary. Two forts would be, he ventured to think, sufficient on Portsdown Hill, and those need not be of a large description, but secure against escalade. The idea of bringing an army to defend Portsdown Hill or Portsmouth was preposterous. The forts proposed to be erected near Plymouth were very numerous, and he doubted the expediency of constructing so many. He must express his hope that the Government would reconsider again the subject of these defences, and would not be deterred from carrying their reductions still further. If the practice of entering protests which prevailed in the other House existed in the Commons, he should, with great humility, but earnestly, protest against the approval by the Government of the excessive recommendations of the Defence Commissioners.

Bill read 3°, and *passed.*

GRANT'S COOKING APPARATUS.

RESOLUTION.

GENERAL LINDSAY said, he was induced to bring this subject before the House, because he considered, that though Captain Grant, who had been engaged since 1855 in improving the cooking system of the army, had by his attention to the matter considerably benefited the service, he had not received that consideration from the Government or War Department to which his public services entitled him. Previous to 1855 the barracks were supplied with nothing but the old boilers, which cooked the food so as to pall upon the appetite and drive the soldiers out of the barracks for a change of diet. In 1855, in consequence of the establishment of the camp at Aldershot, Captain Grant was sent for by Lord Hardinge to introduce his system of cooking, which it was thought might be beneficial to the service. Captain Grant established a system of cooking there for 20,000 men, which remained in use at the present day; and, in consequence of the success which attended this first operation, the system was afterwards introduced at Shorncliffe, Woolwich, and, in 1859-60, at the Curragh. He therefore felt he might, without fear of contradiction, state, that unless the Government had found Captain Grant's system successful, they never would have introduced it into other large camps. Now, the services of Captain Grant, the time and labour he had expended in the perfecting of his apparatus being taken into account, deserved, he thought, recognition at the hands of the Government; but he had as yet, he was sorry to say, not only received no compensation whatsoever, but was actually out of pocket—not certainly of a large sum, but to the extent of £280. From 1856 to 1858 various boards and officers had been required to report upon the subject, and every succeeding report was more favourable than its predecessor to Captain Grant's invention, especially on the score of economy; for it seemed that the cost had been reduced from an average of *5s.* *10d.* to *2s.* *6d.* Among other officers who had reported in its favour in 1858, were General Maunsell from Shorncliffe, and Colonel Bloomfield from Woolwich. All the reports were favourable to the ambulatory part of Captain Grant's system. Lord Rokeby, Sir Richard Dacres, Sir John Pennefather, Colonel Hudson, Captain Hutchinson, Brigadier Staveley, Colonel Thomas, Colonel St. George, and others had borne strong testimony to its value and efficiency. Captain Grant complained that his system had not been fairly tried. For example, at Aldershot, his kitchen had been cut in two, while at the Curragh his flue had been made nine inches square, instead of twelve inches, thus defeating the object which he had in view. The fact was that Captain Grant had been guilty of a great success, and that success had brought upon him many enemies. It was only just that an officer who had devoted his time to the public service should receive some recognition from the Government. Up to the present time Captain Grant had not got anything for his services, although his new system of cooking had been adopted for 10,000 men at Aldershot, for 3,000 at Woolwich, for 5,000 at Shorncliffe, and for 5,000 at the Curragh, and although he had paid all the preliminary expenses out of his own pocket. He thought that one year's ascertained saving in the consumption of fuel on two-thirds of the strength of the British army in England would be a fair and liberal mode of remuneration. If Captain Grant's system were *bonâ fide* carried out, it would, he believed, effect a saving of £50,000 a year in fuel. What he proposed was that three or four competent persons should be appointed to inquire whether Captain Grant's inventions were not beneficial to the service and economical to the country. If it were not found to be so, Captain Grant would seek no remuneration from the country. On the part of the army, he must say Captain Grant was looked upon as a great benefactor to the service; his ambulatory arrangements for cooking, where great masses of men were collected together, would be found one of the greatest blessings to the army in the field that had ever been proposed by any officer in the service. He concluded by moving—

"That it is the opinion of this House that the services which Captain Grant has rendered to the public by the economy and improvement which he has introduced into the system of Field and permanent Cooking in the Army, and by his invention of the Ambulatory Cooking Apparatus, are entitled to recognition."

Mr. J. R. O. GORE seconded the Motion.

Sir GEORGE LEWIS said, that the Motion of the hon. and gallant Officer was substantially for a grant of money; and if the words of his Motion left any doubt upon the subject, his speech and the letter of Captain Grant, dated June 10, entirely removed it. With regard to the expenses incurred by Captain Grant in his invention, he had already been reimbursed. His present claim was purely for remuneration; and the hon. and gallant Member had given an assessment as to its amount, because he said Captain Grant considered that a saving of £50,000 a year had been, or might be, effected by carrying out his system of cooking, and he suggested that two-thirds of that amount for one year should be awarded to Captain Grant by way of remuneration. Now, according to the Standing Orders of the House, a petition for a grant of money relating to the public service must be recommended by the Crown, and a Resolution to that effect must be agreed to in a Committee of the Whole House; whereas, this Resolution was moved with the Speaker in the chair, and was in substance a violation of the Standing Orders. He therefore objected to the Motion upon that general ground. But, adverting to Captain Grant's claims, the hon. and gallant Officer seemed to think that he (Sir G. Lewis) had declined to go into the merits of the question, and had given no time to its investigation. He could assure him that was not the case. He had investigated the question, and, as far as documents to which he had access could inform him, he was unable to say that there was any sufficient ground for altering the decision of his predecessor; for he must contend that a decision had been arrived at, and was formed on the report of Messrs. Warriner and Guerrier. Of course it was quite competent to Captain Grant to dispute the accuracy and fairness of that report, and, undoubtedly, inventors were often dissatisfied with the judgment pronounced on inquiry with regard to their claims for remuneration. He could only say that there was no prejudice against Captain Grant's cooking apparatus; it had received a fair trial, and the result was not to induce the War Department to extend it any further, or recommend it where it was not now used. It was not advantageous on the score of economy. The quantity of fuel it consumed for a small number was quite as great as by the cooking apparatus on the old system. Where the number was great there was some economy. But there were several other cooking processes in which the economy was greater than in Captain Grant's. It must be remembered that there was not here any great field for novelty or invention, and he who came forward with any great secret in cooking, founded on any abstruse or refined system of combination, must be supposed to draw very largely on the credulity of the world. The fact was that Captain Grant's system had received a fair trial in the judgment of those most competent to form an opinion, and it was not considered so beneficial as other systems which were also used in barracks. Captain Grant had already been compensated for all the expenses he had incurred. He was originally on full pay and was now on half-pay, and he could not therefore be said to be unremunerated for his services. With regard to his ambulatory apparatus, an investigation was going on, and he could not at present express an opinion; but he must say no ground had been laid for voting public money to the extent of £25,000 or £30,000 to Captain Grant for the invention of his cooking apparatus.

COLONEL NORTH said, he had listened with great regret to the speech of the right hon. Gentleman, for it pained him to hear a Secretary for War, with an army such as ours, attempt to turn the minds of Members from the real question under consideration. No one whose duty it was to make daily visits round the messes of the soldiers could fail to believe that the person who improved the system of cooking in the army was entitled to the gratitude and reward of his country. Until Captain Grant's invention the soldiers in the army could get nothing but boiled meat every day of their lives unless they obtained it at their own expense. Yet no remuneration had been given to Captain Grant for his services and loss of time, and he was even a considerable sum out of pocket. The right hon. Baronet said the case had been closed by his predecessor; but the correspondence continued for several months after the death of Lord Herbert, and reports had been published speaking in the highest terms of Captain Grant's apparatus. [Sir GEORGE LEWIS: That is, of the field apparatus.] With regard to the other, the case was never considered closed. With respect to the case having been settled by the opinion of "competent persons," all he could say was that the most ample testimony to the merits of Captain Grant's inventions had been given by officers who were well qualified to form a correct opinion, and who had had every opportunity of doing so. Captain Grant had been shabbily and improperly treated. The country, however much it wished to save money, could not wish Captain Grant to be a loser, and he hoped the House would be just enough to remunerate him.

SIR GEORGE LEWIS: The cost out of pocket has been reimbursed to him.

COLONEL NORTH said, that such reimbursement could not be called remuneration. It had been suggested to Captain Grant, by the Commission appointed by the Government, that he should make experiments in order that the results might be seen, and surely he ought to be remunerated for expense incurred by those experiments.

COLONEL DUNNE said, he did not suppose there was anything irregular in the Motion, or else the Speaker would have stopped the discussion. The question was, whether Captain Grant's inventions were successful or not. He treated with contempt the adverse opinions of Mr. Warriner and M. Guerrier; and he hoped the right hon. Baronet would consent to the proposition for the appointment of three or four proper persons to inspect and report upon Captain Grant's invention.

MR. MONSELL felt bound to add his testimony to the services rendered by Captain Grant, who had for six or seven years bestowed his attention upon the subject, and had conferred great benefit upon the service by doing so. His exertions had resulted in considerable economy to the public service and increased comfort to the men. The food of the men used to be badly cooked; and with the improvements that had been effected in the cooking of it, there had been a diminution in the cost. Was a gentleman to devote six or seven years' attention to such a subject, with such results, and to receive no remuneration? He never saw a more reasonable man than Captain Grant, who, he was persuaded, would be easily satisfied.

General BUCKLEY thought that Captain Grant had not received the remuneration to which he was entitled, and that his apparatus, if properly carried out, would be very beneficial to the service.

Sir GEORGE LEWIS, in explanation, said, he had distinguished between Captain Grant's two inventions, one of which was intended for use in barracks and the other for use in the field. As to the first, the War Office were in possession of very ample information, and were not likely to be assisted by the appointment of any new Committee. The field apparatus was now under the consideration of a Committee of persons appointed by the Government.

General LINDSAY, in reply, stated, that it was upon the barrack apparatus that Captain Grant had given his whole time to the benefit and improvement of the service, and that consequently the remuneration, whatever it might be, should be for that, and not for the field apparatus.

Motion made, and Question put,

"That it is the opinion of this House that the services which Captain Grant has rendered to the public by the economy and improvement which he has introduced into the system of Field and permanent Cooking in the Army, and by his invention of the Ambulatory Cooking Apparatus, are entitled to recognition."

The House *divided*:—Ayes 51; Noes 52: Majority 1.

RAILWAY ENGINE DRIVERS.

COMMITTEE MOVED FOR.

Mr. COBBETT rose to call the attention of the House to the Petition of Engine Drivers and Firemen, working on several lines of railway, complaining of the excessive number of hours during which they worked continuously; also to other Petitions on the same subject; and to move "That a Committee be appointed to inquire into the matter of the said Petitions." The grievance complained of affected a large body of working men and the public also. Some eighteen months ago he was applied to by a number of engine-drivers and firemen on the Great Western, the Lancashire and Yorkshire, and four or five other railways, to bring their case before Parliament. They represented that they were kept at work for so many hours continuously that their health was injured, and the lives of passengers placed in jeopardy. The averages of their hours on certain railways were respectively 14, 16½, 15, 16, 14, and 15 in the 24 hours. The greatest number of hours during which men had in some instances been required to work consecutively were 20, 25, 23, 26, 28, and 24 on different railways. That was a state of things most injurious to the men, and highly dangerous to the public. He had presented fourteen petitions, one of which was signed by upwards of 700 men. The class of engineers and firemen consisted of many thousands, who were respectable, and had great influence. The complainants said that their hours were unnecessarily long, and, with proper management, might be shortened. It was only on seven lines of railway that complaints were made. On others, including the Great Northern, there was no such grievance. When first applied to, he recommended these men to appeal to their directors, and then to the Board of Trade. They had done so, and had failed to obtain redress, and therefore he brought the subject before the House. In one of the many cases which had been laid before him a man had worked as many as fifty-six hours in three days—pretty nearly fifty-six consecutive hours—and in another case, a man who had worked nineteen and three-quarter hours was obliged to resume duty after a rest of two and a quarter hours. An article in the *Quarterly Review* traced a collision on one of the Scotch lines to the exhaustion from overwork of the men in charge of the train. One man had told him that he frequently slept for miles on his engine; and when he awoke, he could tell where he was only from some peculiarity in some posts by the side of the line. The danger to the public from requiring this amount of exhaustive labour from railway servants was too obvious to need any statement from him. In addition to the Petition of the engine-drivers and firemen, he had presented thirteen Petitions from the inhabitants of towns on the railways in question, signed by mayors, town councillors, magistrates, clergymen, and merchants, who stated that they knew that the engine-drivers on the lines on which they travelled were overworked, and that their own lives were jeopardized; they, therefore, prayed the House to pass some measure upon the subject. He would move, according to his notice, for a Select Committee to inquire into the statements of the petitioners. He was aware that at that period of the Session such a Committee would not be granted; and he should therefore make his Motion as a matter of form, with a view to elicit an opinion on the subject. But if this opinion had no effect, and these complaints continued, he should certainly in another Session do something more than call attention to the subject.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the matter of the Petition of Engine Drivers and Firemen working on several Lines of Railway in the United Kingdom, complaining of the excessive number of hours during which they work continuously; and also of the Petitions of inhabitants of certain cities, boroughs, and other towns on the same subject."

Mr. MILNER GIBSON: I will state to my hon. and learned Friend that a deputation of engine-drivers waited upon me at the Board of Trade to represent that they suffered under a system of very long hours of labour; but it did not appear from what passed that it could be said with truth that all the engine-drivers, taking the whole body as a class, agreed in the necessity of any interference on the part of Parliament between themselves and their employers. The particular persons who were moving in this matter formed only a small proportion of the engine-drivers. I have no doubt there is a great deal of truth in what my hon. and learned Friend says. There are instances of persons working long hours; and if a system of over-working were generally practised throughout the railway companies in the kingdom, which prevented the exercise of due vigilance on the part of the engine-drivers, a case might be made out for the interference of Parliament. But I am informed that in cases of accident it has rarely occurred that hours of work of the engine-drivers had any bearing whatever on the question. Signalmen have been employed too long, and, having fallen asleep, have neglected the usual signals. What my hon. and learned Friend asks for would be a departure from the general rule. We should be setting up a new principle; for, though Parliament has interfered to protect women and young children in factories, it has never interfered to limit the labour of adult males. The question is, whether it is not wiser to allow the engine-drivers to settle their affairs with their employers instead of taking them under the protection of Parliament. They are a most intelligent class, and are

quite capable of taking care of themselves. They are men of highly skilled labour, and can make their own arrangements with their employers. And be it observed, they are paid extra for these extra hours, and it is of their own will and pleasure that they work such long hours, for the purpose of getting more money. My hon. and learned Friend says he would prevent that, because they are unable to give that attention to their engines which is necessary to secure the public safety. If my hon. and learned Friend can point out any system of railway management which seriously endangers the public safety, the Board of Trade will make any representation to the railway companies that it may think would be useful. I do not think that a case has been made out for legislation, and I am of opinion that we had better leave the responsibility for taking care of these matters to the managers and directors of the railways. If they, by working their men too long, or by any other neglect of precautions necessary for the public safety, cause any injury to life or limb, they are by juries made to pay heavy damages. Do not let Parliament lessen their responsibility, so that, when an accident occurs they may say, "Oh! you manage our railways for us." I hope my hon. and learned Friend will allow the matter to rest where it is.

Mr. COLLINS hoped that at this period of the Session the hon. and learned Gentleman would not press his Motion.

Mr. HADFIELD asked the hon. and learned Gentleman to give the names of the railways where this system prevailed.

Mr. COBBETT said, that these railways were seven in number—The Blyth and Tyne, the Great Western, the Lancashire and Yorkshire, the London and North Eastern, the Manchester, Sheffield, and Lincolnshire, the Midland, and the South Yorkshire. He should not press his Motion, but might state that several accidents had happened in consequence of the guards and engine-drivers being rendered unfit, by over-work, to attend to their duties.

Motion, by leave, *withdrawn.*

POST OFFICE DEPARTMENT.

COMMITTEE MOVED FOR.

Sir GEORGE BOWYER, in rising to move that a Select Committee be appointed to inquire into the Grievances alleged to exist and complained of by the Persons employed in the Post Office Department, said, that at the commencement of the Session he had presented a petition signed by more than 1,500 men employed in the Post Office complaining of their grievances, and he did not think that Parliament ought to separate without considering their statements. The object of the Post Office originally was to raise a revenue; but a change took place when the penny postage was introduced, that system being based upon the principle that the Post Office ought to be regarded as a Department of the public service, and that the question of revenue should be a matter of secondary consideration. At all times, even after the penny postage had been introduced, a certain amount of revenue was derived from the Post Office ; but Sir Rowland Hill and others undertook to make it pay as well, or nearly as well, as it did before. That object could only be carried out to any extent by diminishing the pay and emoluments of the persons employed, by diminishing the number of the persons employed, and by the adoption of other economical measures which, in his opinion, were not fair to the *employés* nor consistent with the proper administration of the Department. The consequence was, that the men were overworked and underpaid. Great dissatisfaction and great disorganization arose, and something like a revolt had shown itself among the letter-carriers. Three inquiries had been instituted into the subject, one in 1834, one in 1858, and the last in 1860. In the last-named year there was an inquiry instituted by a mixed Committee, composed partly of persons employed in the Treasury, and partly of persons employed in the Post Office. The chief complaints were general inadequacy of pay and overwork. That great distress existed among the letter-carriers and sorters might be shown by the frequent collections which were obliged to be made for the families of those persons, and even for the burial of their relations. What the result of that inquiry was he was unable to say, because the report had never been made public, and the annual reports of the Postmaster General gave no information on the subject. He would, however, quote a few figures to show that the pecuniary position of the letter-carriers had been gradually deteriorating. From a statement compiled out of official returns, it appeared that in 1845 the annual amount of wages received by twenty-five senior letter-carriers was £962; but then there were emoluments amounting to £2,364 ; making a total of £3,326. In the same year the annual amount of wages received by twenty-five junior letter-carriers was £1,324 8*s*., with no emoluments. In 1861, the annual amount of wages received by twenty-five senior letter-carriers was £1,950, their emoluments, Christmas gratuities, &c., amounting to £175, making a total of £2,125 ; and the amount of wages received by twenty-five junior letter-carriers was £1,170, without any emoluments. The result was that there was a loss in 1861, as compared with 1845, of £27 2*s*. 4*d*. per man. The average wages and emoluments of a letter-carrier in 1845 were £93, but the average wages in 1861 were only £75 ; so there had been a loss per man of 10*s*. a week since 1845. He should, perhaps, be told that a system of promotion had been established ; but he would remark that the poor letter-carriers derived very little benefit from it, because when a man was promoted from the highest class of one grade to the lowest class of the class just above him, in some instances he actually lost money by his promotion. An *employé* must wait a long time before he could get any wages except such as were grossly inadequate. One must begin as a supplementary man at 18*s*. a week, and then, after three or five years' service, he would get £1 a week. How was it possible for a man to maintain himself and his family on such a pittance ? It might be said that men could be found to do the work for lower wages still—and, indeed, men had been engaged as extra letter-carriers at 10*s*. a week. He did not think, however, that public offices should be put up to a sort of Dutch auction. He had no doubt that persons could be found who would perform the duties of the Lord Chancellor or the Chancellor of the Exchequer for smaller salaries, but he held that when they gave a man arduous duties to perform they ought to pay him liberally. The result of the cheap labour system adopted at the Post Office had been that a great many persons had been introduced into the establishment who had betrayed their trust, and there had been numerous convictions of men for stealing letters. But then there was also the question of overwork. He knew that men were worked to such an extent that towards the conclusion of their work they did not know what they were about. That was the case both with the letter-carriers and the sorters ; and the consequence was that letters were missent, mislaid, and perhaps even lost. The first consideration ought to be the efficiency of the public service, and that efficiency could not be attained unless the men were liberally paid, and a sufficient force employed for the performance of the duties. He felt that at so late a period of the Session he could not move for a Committee; but he should bring forward the subject early next Session, and he hoped that there would then be a full inquiry into this important subject. Nobody could deny that there were great grievances, otherwise there would not be the large amount of discontent now existing, and which had been the object of inquiry by three different Commissions. The last inquiry took place in 1860; and he had frequently asked the Chancellor of the Exchequer for the Report of the last Commission; but the right hon. Gentleman had always refused to give it. Why, he would ask, should the Government keep back the result of that inquiry? If the result had been satisfactory, tranquillity would have been restored to the Post Office. It was clear the result arrived at had not been satisfactory, or it would have been communicated. He hoped, however, that the Chancellor of the Exchequer would that evening undertake to lay that Report before the House. The great discontent had clearly not disappeared, although it had been said that something had been done; but he believed that what had been done had been entirely insufficient, and he hoped at some early period the whole question would be taken into consideration.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the Grievances alleged to exist and complained of by the Persons employed in the Post Office Department."

The CHANCELLOR of the EXCHEQUER said, that his hon. Friend exercised a wise direction in not proposing to press his Motion on the present occasion, for it was obvious that the appointment of a Committee of Inquiry at the present period of the Session must be perfectly futile. He should have felt it his duty, however, at any period of the Session, to oppose the Motion, which he regarded as being of a most dangerous character not only to the good order of the Post Office Department, but to the entire public service. His hon. Friend asked, why was there discontent at the Post Office? But his hon. Friend could answer that question better than any other man. There would be discontent in any public department when the persons employed in it found a gentleman of ability and character willing to take what might be called a partisan view of their case and encourage them in demanding greater wages for their labours. He trusted, however, that other hon. Members would consider the responsibility which rested on them before they gave the strength and aid of their character and ability to inflame the minds of men who, though very competent for their duties, were yet of humble station, and naturally inclined, like other men, to believe that they were underpaid when they were told so. It would be totally impossible for any Department of the executive Government, —whether the Post Office, the Inland Revenue, or any other Department in which the number of public servants amount almost to armies—to conduct the public service if the men employed in the various Departments were to be told by persons of authority and ability that they were overworked, ill-used, and underpaid; and it was more than could be expected from human nature, that under such incentives, discontent should not be prevalent. His hon. Friend had said that the Post Office was worked for revenue, and not for public accommodation. That observation was rather hard upon Parliament. There was a time when the Exchequer derived about £1,500,000 of revenue from the Post Office, and, with a view to public accommodation, Parliament surrendered the whole. Let it not be supposed that he blamed Parliament for so doing, for he believed that a wiser measure was never adopted, or one which effected a greater amount of public accommodation; but then it ought to shield Parliament from the reproach of having used the Post Office exclusively, or in an exaggerated degree, as an instrument of revenue, and not of public accommodation. His hon. Friend had asked him to produce certain documents with respect to the case of the inferior members of the metropolitan establishment; but he felt that it would be inconsistent with his duty to produce them. The state of the case was this. In 1860 that distinguished and most valuable public servant, Sir Rowland Hill, was, in consequence of the heavy burden of his labours, stricken with a dangerous illness, and it was during his absence that the discontent of the nature alluded to became serious. In the absence of that officer it was necessary to call in the aid of other gentlemen in the Post Office and from the Treasury, who, together with Sir Rowland Hill, gave their advice to the Government and the Postmaster General; and the Treasury then took the measures which they considered just, and which, in their opinion, were eminently liberal with respect to the men. It was perfectly natural that some of the members of the Department should not concur in all the details of the measure which was then adopted; and it was not to be supposed, that in a matter involving a multitude of details, and the interests of a very large class of men, perfect unanimity could be obtained; but it was perfectly obvious that it was not the most wholesome way to secure unanimity to bring before Parliament the opinions of every man who served in the Department. What did the Executive exist for? Parliament invested the executive Government with general power, and the Departments were responsible for the exercise of the power to the Government as a whole. His hon. Friend said that the servants of the Post Office were underpaid, and he was echoed by the hon. Member for Finsbury (Mr. Cox), who probably numbered a good many of these persons among his constituents. [Mr. Cox: The Government do not pay them well enough to give them votes.] In some sense, there was no part of the public service that might not be said to be underpaid. He did not now speak of Ministers of State, and he hoped his hon. Friend did not intend to institute a comparison between the duties of Ministers of State and the duties of men who carried letters. No doubt, with respect to a certain description of labour there was the test of looking to the labour-market and seeing whether a sufficient number of persons could be obtained; but if his hon. Friend meant to appoint a Minister of State on that principle, it was for him to prove that the principle was applicable. At any rate, it was substantially applicable for filling up the places of the great number, he might almost say the armies of public servants, and was applicable in the highest degree to the servants of the Post Office. His hon. Friend seemed to think the case of the lowest class of letter-carriers especially doleful. What was the case? He was appointed at eighteen years of age with a salary of 18*s.* a week, had no apprenticeship to pay for, and was allowed two suits of uniform and medical attendance and medicines gratuitously. In the course of a couple of years that young man would become a regular letter-carrier at 30*s.* a week, with a pension secured to him after a certain number of years' service. His hon. Friend, if he thought that a hard case, should consider whence the money came, and should also look to other branches of the public service, and he would find that letter-carriers were better remunerated than the police. A letter-carrier was better off than a policeman, who entered the service at 19*s.* a week, and served for years without an advance. Why did not the hon. Gentleman take up the case of the policeman, and say it was very hard that they should have to spend their nights in the streets for 19*s.* a week and upwards? Was it not enough to show how imprudent these complaints were when he stated that the service of the police was a cheaper service than that of the letter-carriers? Men of the lowest class became letter-carriers before they were twenty years of age. Their wages rose to 30*s.* a week, besides clothing and Christmas-boxes, which averaged 2*s.* or 3*s.* a week more. They could become sorters and rise to 40*s.* and ultimately to 50*s.* per week, and the higher ranks of the service were open to them in case of good conduct. No doubt there was a great deal of hard work; and he quite agreed that it was the duty of the heads of Departments to see that their subordinates were not overworked. That was, as a general rule, very bad economy, and no increase of payment afforded any justification for it. He did not deny that there were many cases of hard work, but how could it be otherwise? In the metropolis, where new streets were being opened and added from day to day, it was impossible to be constantly altering the beats of the letter-carriers. There must be inequality, and in particular cases there must be excessive work for a time. But those cases were limited to the smallest possible number of individual instances, and it was clear that they were wholly exceptional. The hon. Member found fault with the Post Office because they employed auxiliary letter-carriers at 10*s.* per week. His hon. Friend knew, that if the words were true, the signification of those words was not true. His hon. Friend knew that those men who were paid 10*s.* per week were paid for a portion only of their time. It might be scandalous to employ men for 10*s.* per week; but it did not follow that it was at all scandalous to pay them 10*s.* per week if they gave only two or three hours a day for it. He hoped, if his hon. Friend dealt with this subject again, he would be careful to give an accurate impression to the House. The question had been settled by competent authority—namely, the executive Government. The executive Government were ready to defend what they had done in the face of the House of Commons, and they were ready to defend the arrangement which they had made as reasonable, just, and liberal. In proof of its being liberal, he might mention that the new men were entering the service at materially lower rates than those who were in the service before a certain date, and on whose behalf the hon. Member complained. While it was obvious that there was an abundance of men able and willing to perform the work in a satisfactory manner, the hon. Member came forward and denounced the Post Office upon the ground that its servants were overworked and underpaid. If his hon. Friend should feel inclined to renew his Motion, he should be prepared to follow him into all the details, and he thought it would not be difficult to show that nothing could be more unfortunate than for the House to accede to it. If they thought the executive Government were to blame, let them take the proper course and pronounce their censure upon the executive Government; but he was satisfied that no worse policy could be adopted than for the House to take into its own hands the management of the public services.

Mr. COX said, it was no answer to assert that there were plenty of men ready and willing to take upon themselves the duties which the letter-carriers had to perform. Of course there were—but would any one deny that the crime of letter-stealing had alarmingly increased, and that the remuneration of the letter-carriers had diminished? He could not help thinking that it was a proper subject for inquiry by a Committee how far the one was relative to the other, and whether the reduction of payment had brought into the service less honest and trustworthy men. It also appeared to him to be a proper subject for inquiry whether they had been endeavouring to make the Post Office remunerative by excessive reductions of the charges of the establishment. He hoped the hon. Member would take the first opportunity of renewing his Motion, and he should certainly vote in his favour.

Sir STAFFORD NORTHCOTE said, the hon. Baronet the Member for Dundalk (Sir G. Bowyer) was slightly in error when he stated that three Committees were appointed in consequence of the dissatisfaction of the Post Office *employés* with their remuneration. He was a Member of the Committee of 1854, and that Committee was one of a series appointed for the purpose of revising the public establishments, and not in reference to any complaints by the clerks or letter-carriers as to the insufficiency of their remuneration. At that time there was a particular reason for inquiring into the Post Office, for the purpose of bringing the working of the Department into harmony, and adapting it to the new postal system then recently established. The old system was under Colonel Maberly, the then Secretary, and the new system was under Sir Rowland Hill, who was called the Secretary to the Postmaster General. Up to that time the two systems had not been thoroughly fused, and the Committee went into the inquiry desiring to bring the whole office into harmony, and, at the same time, not to place the men in a worse position than they were before. There were reductions made in certain appointments, but the intention as well as the effect of the Report of that Committee was to improve the position of the men who might afterwards enter the service. One or two changes were afterwards made, and the change for which the late Government were responsible, extending superannuation to the servants of the Post Office, materially improved their position. Upon the whole, there was no disposition on the part of former Governments, or on the part of the House, to put them in a position in which, for the interests of the public, it was not desirable they should stand. He fully agreed that there was no worse economy than underpaying public servants, and there was no Department in which more consideration ought to be shown to the men employed than the Post Office. They were, generally speaking, men of humble rank, and were employed in duties of great trust and importance. They might not be overworked, but they were very hardly worked, and of late years the work of the Department had increased enormously. Sir Rowland Hill, when he proposed his reforms in the postal system, foresaw that the revenue would ultimately increase through the increase of correspondence. Sir Rowland Hill was a man of whom too much could scarcely be said in his praise. He was a man of a suggestive and fertile mind, who was continually devising new schemes for the accommodation of the public. Of indefatigable industry himself, he was fully impressed with the importance of exacting a sufficient amount of work from others. The tendency in the Post Office was to throw upon the servants, perhaps, a little more work than they were able to bear without detriment to themselves. At the same time, as far as he knew anything of Sir Rowland Hill's proceedings, he believed that he was anxious to do what was right and fair, and to promote any arrangement for improving the condition of those employed under him. He entirely assented to the doctrine laid down by the Chancellor of the Exchequer, that it was most mischievous for the House of Commons to take out of the hands of the Government the details of arrangements made in the various Departments. He thought it might tend to cause dissatisfaction among the persons employed, and to encourage the Government in a lax spirit of dealing with those departments, and he thought the principle applied with especial force to the Post Office. At the same time, he must say a few words in reference to the last Commission. It was quite open to the Government to inquire or not to inquire into any grievances which the Post Office *employés* might bring before them. But before appointing a Commission the Government ought to have considered what would be the effect of the appointment of that Commission upon the persons whose interests were at stake. The persons employed in the Post Office represented to the Treasury that there were certain arrangements in the Department which told heavily upon them, that their position was not altogether that which it was intended to be by the Report of 1854, and they made such a statement as induced the Treasury to investigate the case. When the *employés* heard this, they were full of expectation as to the result of the inquiry. In fact, there was great excitement in the Department; and the feeling was increased by a supposition which they were led to entertain that the Report of the Commission fully bore out their complaints, and recommended measures which would have been to their advantage. For a long time, however, they got no answer to their complaints, and, in fact, they had been totally unable to find out what the Report was. Under such circumstances, there had been considerable agitation among the men, and they were hardly to be blamed for it. Some blame certainly attached to the Treasury in the matter. After receiving the Report they ought to have made up their minds, which they appeared to have been very slow in doing, and then to have announced to these men what their intention was. In this manner much dissatisfaction would have been spared. He saw very little use in referring the matter to a Select Committee. It would be better left in the hands of the Government. It was very desirable that the Government should present the Report of the Commission to Parliament, and he hoped, that taking warning from what had happened, they would see the necessity of dealing with these and all other public servants in a spirit of frankness and openness. With regard to the salaries, it frequently happened that the *maximum* of one class was higher than the *minimum* of the class above; but he certainly was of opinion that a man promoted from one class to another should go up at least at the salary he was receiving before.

Sir GEORGE BOWYER said, he was willing to ask leave to withdraw his Motion. According to the argument of the Chancellor of the Exchequer, no grievance existed at all, and the right hon. Gentleman made out that letter-carriers were the most favoured class of all public servants, and better paid than the Chancellor of the Exchequer himself. There were, however, grievances, or there would not have been a Commission to inquire into them.

Motion, by leave, *withdrawn.*

UNION RELIEF AID BILL.

LEAVE. FIRST READING.

Mr. C. P. VILLIERS, in rising to move for leave to introduce a Bill to enable the Boards of Guardians in certain Unions in England to obtain temporary Aid to meet the extraordinary demands for Relief therein, said, that the purposes of the Bill were sufficiently indicated by its title, and the House had probably been prepared for its introduction by the short discussion which had taken place a few evenings since. He then stated, that if he should collect from the sources of information to which his Department had access that the distress which then prevailed in the cotton districts was likely to become more intense, and to extend itself still further during the recess, and that if he thought that there was any defect in the powers possessed by those intrusted with the local administration of the law, he should then be prepared to state to the House in what respects he thought the law should be amended. It was simply with that view that he made his present application to the House. It was not with a view to any immediate action that he asked the House to legislate on the subject; neither did he mean by taking that course to imply that the law as it existed was not adequate for its purpose, and had not hitherto been found equal to the emergency that had arisen in the manufacturing districts; nor could he predict with confidence that any further powers which might be conferred on the guardians of the poor in those districts would be used or enforced when granted. But although this should be the case, it appeared to him that it was a matter in which it was wiser rather to err upon the side of excessive caution than to run the risk of inconvenience, and perhaps disorder, merely to spare the time and trouble of the House. To justify the course which he was about to take, it would be necessary for him only to be very brief, for he knew how much the subject of his Motion had already occupied the thoughts of those within the House and throughout the country, and the facts connected with it were perfectly notorious. It was, he believed, beyond all doubt, that there had been a large mass of operatives connected with the manufacture of cotton thrown out of employment and become destitute owing to the dearth in the supply of the raw material. The same cause, it was equally well known, was still exercising its influence and even with more intensity at the present moment than before. Nay, more—he would venture to say that every week and every day the pressure must be still more felt, inasmuch as we were not receiving further supplies of cotton, and we were drawing only upon a given stock to furnish the employment, such as it was, which was now afforded. The result would naturally be that as the stock became diminished the price of cotton would become enhanced, and just in that proportion the manufacturers would find it more difficult to employ their mills, inasmuch as they would be obliged to work it at a loss, the price which they obtained for goods not corresponding with the cost of their production. Such would be the obvious effect of the diminution of the stock of cotton; which was gradually decreasing, not only owing to internal consumption, but, he regretted to say, on account of the continual exportation of the material to other countries—and there were daily reports of large sales for that purpose—the dearth of cotton in those other countries being felt as it was here. The stock, therefore, which we held, and which was calculated at the best for giving employment for a limited time, was day by day diminishing. It was difficult, then, to come to any other conclusion than that there must be a further closing of mills, and that the manufacture of cotton must almost cease, unless, from a cessation of hostilities in America, we were enabled to obtain fresh supplies from that country, or from some other sources. That matters were proceeding certainly and rapidly in this direction he thought he should be able to show the House from Returns which he held in his hand. Taking five of the principal towns in the manufacturing districts, he found from these Returns, which were made from week to week, that while in the last week of May there were in Ashton-under-Lyne 8,400 living on the rates, there were in the last week of June 9,600. In Blackburn, the numbers were—last week in May, 10,600; last week in June, 11,500. In Manchester—last week in May, 12,700; last week in June, 14,200. In Preston 11,800 in the last week of May, as against 12,100 in the corresponding week in June, and in Stockport 5,400, as against 6,000. To show that the increase in expenditure corresponded with the number of persons who were destitute, he would refer to the expenditure for the relief of the poor in Blackburn. That expenditure was, he found, £14,475 in 1861, while the rate of expenditure now going on was £37,507 per annum, showing an excess over last year of £23,032. In Preston, he might add, the expenditure for the poor in 1861 was £16,651, while the rate of expenditure now going on was £66,612, showing an excess of £49,961. In Stockport the expenditure was £11,204 in 1861, as against £27,300, the rate of expenditure in the present year, giving an excess of £16,096 on a comparison of the two years. It must, however, be observed that the number of persons reported as depending on the rates afforded no measure of the number of those who were out of employment. In the case of Burnley, for instance, where there were 13,000 operatives, there were 10,000 out of employment who were not receiving parish relief. The returns of the number of paupers, therefore, furnished no adequate measure of the amount of distress which prevailed. In endeavouring to ascertain how those who were out of employment, and who yet did not obtain parish relief, were enabled to live, he found that the monies drawn by operatives from the savings banks amounted to £4,507, those from building societies to £3,700, while they received from voluntary contributions £458; all that they received from the rates during the time to which he referred—that was to say, between Lady Day and the 1st of July—being £728. So far, indeed, it was satisfactory to observe the strong desire on the part of the operatives to preserve their independence. He regretted, however, to be obliged to state that he learnt from inquiries which he had instituted on the subject, that the deposits in the savings banks, which had hitherto enabled them to do so, were nearly exhausted. All these circumstances being taken into consideration, it was, he thought, impossible to come to any other conclusion than that distress in the manufacturing districts was rapidly on the increase, and that there was no immediate prospect of its cessation. The reason why he had directed the attention of the House to the facts which he had stated was to show, that notwithstanding the noble contributions which had been voluntarily given by individuals for the relief of that distress, yet that in future it must be on the legal liability which attaches to property to support those who are unable to maintain themselves that they must mainly rely. It became, then, of importance to know whether the property in these suffering districts was equal to meet the emergency which had arisen. On that point, from all the information he had been able to procure, he did not hesitate to say that the property of the locality in question was equal not only to the emergency which had arisen, but to any which it was probable would arise. However, though it was true that the property of the whole districts was equal to the emergency, and on that score we had nothing to apprehend, still the matter was not so satisfactory as it would appear to be; because, from the peculiar manner in which property is made liable for the support of the poor, there was no assurance that the whole of the property of any particular district would be rated for the maintenance of the poor, though it might be in the very neighbourhood of the greatest distress. He alluded to the parochial liability of supporting the poor. The liability of a parish was not adjusted to the burden which it might have to bear. It was quite possible that a parish might be crushed by the rates which were levied within it, and that the poor might be unable to obtain the maintenance which the law undertook to afford, though that parish might be surrounded by others who had either few or no poor at all to maintain, and whose affluence might be in contrast with that other one so burthened—the poor having settlements in that parish, and not in the parishes adjoining. Such was the result of the manner in which the charge for the poor had been cast upon the property of the country; and our ancestors, when they passed the Act of Elizabeth, saw that such a state of things might happen. The parochial division of the country had, in fact, nothing to do with the support of the poor; it was originally a division solely for ecclesiastical purposes, and it could be no wonder that it should be found inapplicable to circumstances of a totally different character. The persons who framed the Act of Elizabeth, however, foresaw that such a case as that to which he had referred might arise. It was on that account, he presumed, that in the same enactment which cast upon every parish the burden of supporting its poor, a provision was made which enacted, that if any parish should be unable to maintain its own poor, the magistrates of the county should order some neighbouring parish or parishes, or the neighbouring hundred, or the county at large, to come to the assistance of the distressed parish; thereby recognising the great principle, which no one had undertaken to question, that the whole property of the country was liable for the maintenance of the poor. The circumstances which should give effect to that provision would no doubt be extreme, but they had arisen at different times; and although it was said that it was difficult to carry the law into effect, and that it had not always been successful when attempted to be enforced, still the law existed, and it might, if all the requirements of the statute were complied with, give effect to what was intended—namely, that if the property of any particular parish should be insufficient to support the poor, the liability should be shared by the neighbouring property, or, at all events, by some property in the county. Present circumstances in the North seemed to justify the conclusion that something of the kind might arise there—that some parishes might become so distressed as to warrant the greatest doubts of their ability to support their own poor. If any parish were to find itself in such a position now, and were to attempt to enforce the law, the justices, when appealed to, would doubtless order a contribution in aid from the other parishes of the union; but it seemed to be necessary to give vitality to this principle which was found in the Act of Elizabeth, inasmuch as there appeared to be some difficulty in applying it. At such a time as the present the Government could not incur the risk of some parishes becoming perfectly insolvent and unable to support their poor with the chance of the most extreme consequences befalling those who have innocently become destitute—for, as he had said, it might at any time be possible by some legal ingenuity to prevent this provision of the law, as he had described it, from being carried into effect. Orders were constantly made under the rate in aid clause, but they were very commonly quashed in the higher Courts, and hence the necessity for some new legislation. The Bill which he proposed to introduce would, among other things, carry into effect that which was provided by the law as it now existed—namely, that when any parish or parishes should be overburdened with poor, and the charge should be in excess of the ability to meet it, such parish or parishes should be entitled to claim assistance from the common fund of the union. He proposed, that when the charge upon any parish should exceed by two-thirds the average expenditure which during the three preceding years had been incurred for the support of the poor, such parish should have a claim upon the common fund of the union, and the guardians should order provision to be made for a contribution from the neighbouring parishes. There were at present in every union two classes of poor, and two sources from which the funds for their support were derived. One fund was drawn from the parishes belonging to the union; in other words, where the poor having a settlement in any parish were chargeable upon it they were supported out of the property of that parish. In every union, however, there was a large class of poor who were supported out of the common fund, inasmuch as they had no settlement, though they could not be removed. They were supported by a rate upon all the property throughout the union according to its value. It would therefore be a considerable relief to any parish, supposing there was an excess of charge for the poor in consequence of an increase in the number of those who were settled in the parish, to have assistance from the common fund of the union. The distress would not be so severely felt by the whole union, but the liability of the parish would be limited. No difficulty could be experienced in carrying out the provision to which he asked the assent of the House. There was a machinery available for the purpose, in the fact that there was already a union as well as a parish rate. An application would be made to the guardians, who would satisfy themselves that the parish requiring aid was entitled to it as provided by the Act, and as they had in their own hands the funds for supporting the two classes of poor to which he had referred, they would have no difficulty in transferring the excess of charge in the parish to the common fund of the union. He believed, having carefully examined the returns of the value of the property in the different unions in the North, that the provision he proposed would prove quite sufficient to meet all the necessities of the case. It was little likely that any union should be seriously distressed in consequence of the relief so provided to be given to particular parishes; but it might be well to contemplate things in their worst aspect, and to provide for the most extreme case, such as that of a union itself becoming distressed from the fresh burthens cast upon it. Some difference of opinion might exist as to the source from which funds should be drawn in order to relieve a union in distress. Pursuing the analogy of the old statute, which extended the charge from a smaller to a greater area, one would naturally conclude that a distressed union should at once seek relief from the county. No simpler remedy could be found than to charge the excessive expenditure of the union upon the county rate, just as other items of expenditure—such as those for the prosecution of prisoners and for lunatic asylums—were now charged upon that fund. In Lancashire, however, there were peculiar objections to that plan, for a considerable number of the most important places in the county were not subject to the county rate at all. Under these circumstances, it was fortunate, that assuming the principle of the old statute to be right, there was a machinery which would enable the property of the whole county to be reached without making the burden felt to any undue extent. That mode would be to charge the excess on all the other Unions in the county, which Unions now nearly include the whole property of the county. There was such a complete organization for the management of these unions, and the connection with the Central Board was so immediate, that no more difficulty existed in calling for contributions from every union in a county in order to assist any distressed union than there was in calling upon one parish to assist another parish. The principle was right; no one even attempted to deny it, and the machinery was perfectly ready. It was therefore provided in the Bill he proposed to introduce, that should the expenditure of the union exceed a certain amount, it should have the power of calling upon the other unions for contributions in aid. Of course, safeguards would be provided, and it should be made to appear, in the first place, to the Poor Law Board that such a case had arrived to justify the application of the Act; and if the Poor Law Board were satisfied that such a case had arisen, the Queen in Council was authorized by the Act, upon the recommendation of the Poor Law Board, to issue an order sanctioning the application of that principle. He did not think it likely that any union would be reduced to such circumstances as would render such relief necessary; but if it should, this would probably be the fairest way of calling for contributions in aid; and there would be nothing invidious in such a step, as there naturally would be in selecting for the additional charge some particular parish or union. The burden to be thus imposed upon the whole county would be trivial in amount, and could not be considered unfair in principle. Another scheme had been mentioned—namely, that if the guardians found themselves embarrassed from the excess of expenditure in a union, they should have the power of borrowing money on the security of the rates. He was not alarmed at any such proposition, because he knew that guardians were extremely reluctant to raise money in this way. There were certain purposes for which they had the power of raising money, and the difficulty was to induce them to do so, because they did not like the charge of repaying it by annual instalments. He did not dispute that this would be a simple and ready way of relieving distress—namely, to borrow money, the rates being a perfectly good security. But he thought there was no precedent for money being so raised and spent in the daily relief of the poor. They had never come to that as yet. It had always been avoided. The principle of the poor rate was directly opposed to it, and inasmuch as the mode he had proposed appeared the more legitimate and constitutional way of obtaining relief, he certainly preferred it. However, he did not deny that the circumstances with which they had to deal were quite exceptional, and such as might, perhaps, justify a deviation from the usual course of proceeding; but he believed that the fairest mode of meeting the evil was to impose the increased charge upon the parishes, first upon the union, and then upon the county at large. He did believe that what was proposed in this Bill for this purpose would not be attended with any difficulty; and it was only fair, when a disaster like the present fell upon the great industry of the country, that the rate for the poor should be distributed over the whole of its property which had derived such advantage from contiguity to the manufactures and all the industry, ingenuity, and enterprise connected with them. He ventured to say, from his acquaintance with the practical working and the local administration of the Poor Law, that there would be no difficulty in carrying out this part of the Bill. He had then stated the substantial provisions of the Bill he asked leave to introduce. There was only one other provision he would mention — namely, that the Bill should be operative only till the 1st of March next, leaving it to Parliament then either to re-enact the law or to allow it to expire, and deal with the subject afresh as it might think fit. His object in proposing this particular measure was, that Parliament should not separate without making every requisite provision to meet the extraordinary difficulties in which the cotton districts might be placed. He did not believe that the House could wisely interfere farther with this sad local calamity. When disasters of this character befell the country, sacrifices must be submitted to; and he could only say, that when they considered the great patience, calmness, and loyalty with which the poorer classes in these districts had already borne their privations, that they offered an example to all other classes in future. For the present state of things, unfortunately there was no panacea but the revival of the trade from which employment could be derived. He ventured now to ask leave to introduce this Bill, and he hoped hon. Members would consent to wait till they saw its provisions before they expressed any opinion in regard to them.

Colonel WILSON PATTEN said, he was sure the House would readily assent to the suggestion of his right hon. Friend, that they should not then enter into any discussion of the measure. He only rose for the purpose of stating that he was so convinced of the urgency of the case—he was so well aware that his right hon. Friend had not exaggerated the gloomy prospects of the operatives in the cotton districts—that he was prepared to receive with the utmost favour any proposal made by the Government for the relief of their distress. He would go so far as to say that he was so sensible of the absolute necessity that Parliament should not separate for the recess without providing for that calamity, that he was prepared to sacrifice many opinions of his own, and to support any measure which the Government might bring forward on their responsibility, rather than run the risk of their doing nothing in such an emergency. But he also hoped that the Government would be prepared to accept in a spirit of similar liberality any suggestions that might be made by Members who were unable to approve of all the provisions of the Bill. He did not say he should himself disapprove of the measure; but considerable discussion might arise as to the best mode of attaining the object which they all had in view. His right hon. Friend proposed two provisions for meeting the evil, which merely embodied the principle of the rate in aid. But the proposal for allowing the guardians to borrow money on the security of the rates might find more favour in those districts for which the Bill was specially intended. He did not say it would be so. He was himself prepared, so far as he saw the Bill, to support the second reading—but he hoped that the Government would give Members as much time as the advanced period of the Session would allow for the purpose of ascertaining what were the opinions of their constituents upon that point. He had, of course, no opposition to offer to the Motion for the introduction of the measure, and as far as he could then form any opinion, he believed he should be prepared to support it on the second reading. He wished to add that he thanked the Government for promptly taking up the question.

Mr. E. P. BOUVERIE said, he had no idea of taking any other course than that suggested by his right hon. Friend the President of the Poor Law Board—namely, to wait and see the Bill itself before they attempted minutely to criticise the provisions of the measure proposed to be introduced. At the same time it was not to be concealed from the House, and could not be concealed from the country at large, that the change now sought to be made in our system of administering the Poor Law was one of the most portentous description. His right hon. Friend had recommended to the House a variation of the old law relating to rates in aid; but, judging from the sketch he had given of his measure, it seemed much more nearly to approach to that system of national rates which had been viewed with dread and alarm by all who had contemplated with any care the consequences of such a proposal. He should also observe that his right hon. Friend did not appear to have laid any ground whatever for the great change which he was about to introduce into the law. He had made no statement that in the different parishes the poor rates had been excessive. He had, indeed, stated what they must all admit and all deplore—namely, the existence of great distress in Lancashire owing to the failure of the supply of cotton. All must also join in the admiration which his right hon. Friend and others had expressed, there and elsewhere, of the attitude of patient endurance under suffering which had been assumed by the working classes who had been so deeply affected by that calamity. He had been much struck with a sentence in the letter of the vice-chairman of the Preston board of guardians, which had been printed in the Correspondence on this subject lately laid upon the table. That gentleman said—

> "I have been acquainted with the recurring seasons of depressions, the panics and turn-outs, and all the public subscriptions for relief on such occasions in our borough for upwards of forty years, and I can say that I never remember so much resignation, so little desire to blame the employers, or so few symptoms of disaffection to Government. Indeed, there is not the slightest symptom of cherishing any hope of relief from agitation or violence."

That seemed to be the testimony unanimously borne by all who had the best means of knowing the spirit and temper of the working classes in this trying emergency. But, starting with that fact, he must repeat that his right hon. Friend had not laid any ground whatever for the extraordinary departure from the recognised law which he now proposed. He had made no statement that the pressure of the poor rates in these districts was excessive —he had adduced no facts to show that the burden thrown upon the rateable property in these parishes and unions had attained proportions which could no longer be tolerated, or that it was likely to do so. He had not even asserted that there had been applications from the districts to which he had referred in favour of some such change as this. He was very desirous to know whether or not it was true that those who had the best means of knowledge—those who were engaged in administering the Poor Law in these particular districts—had appealed either to that House or to his right hon. Friend, urging the necessity of adopting some extraordinary measures to enable them to meet the pressure upon the rates in any other way than that sanctioned by the existing law. The principle of the Poor Law, embodied in the statute of Elizabeth, under which we had lived for 300 years, was that the whole of the local means of the district or parish must be exhausted before it could apply for rates in aid. Now, was there any evidence whatever, not merely of such exhaustion having been actually arrived at, but of there having been anything like an approach to that state of things? His right hon. Friend had not laid before them one single fact to justify them in drawing such a conclusion. He would undertake to show by figures that the present rates in those districts where the pressure was so great were nothing like the amount of the rates in many districts in the south of England, where high rates were the usual condition of things. His right hon. Friend had referred to three places—Blackburn, Preston, and Stockport. There was no doubt that the rates in those districts had largely increased; but it must be borne in mind that the normal state of those parishes was one of almost complete absence of pauperism, trade having been so flourishing and employment so abundant that the poor rates had been but very trifling. With respect to Blackburn, he found that if the expenditure went on for a year at the present *maximum*, the rates would reach 3*s.* 7*d.* in the pound, while at Preston it would be 4*s.* 7*d.*, and at Stockport 2*s.* 2½*d.* These might appear heavy rates, but for the sake of comparison he would refer to the state of affairs in other districts. In the Newbury Union, in Berkshire, the poor rate was now 3*s.* 6¾*d.*; in Colchester Union it was 4*s.* 2½*d.*, in the Risbridge Union, in Suffolk, it was 3*s.* 4½*d.*; and in Petworth Union, in Sussex, it was 4*s.* 10½*d.* in the pound. He might adduce other instances of a high rate of expenditure for the poor in southern counties, but he only wished to show that the case contemplated as justifying the introduction of the Bill could hardly be said to exist yet. He rather thought his right hon. Friend admitted that there was no case now, but believed that possibly something might arise during the recess which might render necessary a recourse to a rate in aid; but no ground had been laid for that statement, nor any probability shown of the exhaustion of the ordinary resources of the poor rate or the inability of the property of the district to bear the burden that would be cast upon it. The right hon. Gentleman proposed that any parish whose expenditure should exceed by two-thirds the amount of its ordinary expenditure should have the assistance of the whole union. He (Mr. Bouverie) had always been rather favourable to a union rate; but this was not the time, nor was this the occasion, to make the change. The next proposal, however, he was still more surprised at, and he expected that it would meet with general hostility. The right hon. Gentleman proposed that where the expenditure of the Union should exceed by more than a certain proportion the average of three years, he proposed the whole county should be rated in aid of the Union. That meant that those who had the administration of the poor rates in a particular district, upon whom there was a pressure for increased expenditure, should put their hands, not into their own pockets, for the relief of distress, which was the principle of the Poor Law, but into the pockets of others resident in all the parishes of the enormously wealthy county of Lancashire. No proposal could be more likely to encourage profusion and extravagance than that. If there was to be a county rate, the funds should be distributed by the county representatives; but, according to the plan suggested, the guardians of the distressed union, when they had lost nearly all interest in restricting expenditure, were to come upon all the other parishes of the county; and the inevitable results of such an arrangement must be profusion and extravagance, which would not only be injurious to the ratepayers, but against the real interests and well-being of the poor themselves. It was for the interest of the working classes that no encouragement should be held out to them to come upon the poor rates, except in cases of absolute necessity. The law provided that the poor rate should stand between the labouring man and absolute destitution; and any attempt to keep those suffering people in the same position which they had hitherto occupied, and to encourage them to look to the public funds for their maintenance, could end but in one catastrophe, producing an amount of misery and discontent far exceeding anything that could arise under the wise and prudent administration of the ordinary law. There was but one proposal that could be more objectionable than that of his right hon. Friend, and that was the suggestion of a loan. Upon that subject they had experience to guide them. During the Irish famine in 1847 recourse was had to loans, and the experience of that time was not such as to encourage them to support the doctrine of the hon. Member for Lancashire (Colonel Wilson Patten). The best thing to be done was to stand upon the ancient law, which was better calculated to meet a great emergency than any proposals such as that of his right hon. Friend; and he hoped that in the future discussions upon the Bill it would be found that the best mode of meeting the present difficulties would be to rely upon the humane principles and the sound administration of the existing law.

Mr. HIBBERT thanked the right hon. Gentleman the President of the Poor Law Board for having paid attention to the subject of the existing distress; but he could not as sincerely thank him for the Bill which he had described. He would not then revert to the suggestion he had made on a former evening, that the guardians should be enabled to borrow money for the purposes of relief, except to observe that he thought some such arrangement would enable them to meet any difficulties that might arise. Those who were interested in Lancashire did not ask for new powers to be employed immediately, but they asked that Parliament should not separate without giving additional powers to be employed in case of need. Whatever those powers might be, it was certain that Lancashire had no desire to call upon the national purse, the men of that county wishing to preserve in this time of trial the independence which had been so long their pride and boast. The right hon. Gentleman (Mr. Bouverie) said that no case had been made out for such a Bill, and that the rates were higher in some places in the south. Now, if the normal state of the rates in Lancashire was what they were at present rents would be adjusted accordingly; but the increase in the rates had been very great, and the ratepayers therefore felt the pressure, although the rates might not be so high as they were in other parts of the country. Already there was a difficulty in raising the rates from the smaller shopkeepers and the better class of operatives; and if the tradespeople had nothing coming in, and were giving credit to their customers, the plan of borrowing money upon the rates would have been a more effectual one than that suggested by the right hon. Gentleman. To show that a case had been made out for legislation, he would quote Mr. Farnall's statement respecting Stockport, where that Gentleman said that 50 per cent must be deducted from the estimated rates because the shopkeepers were unable to pay, and from this cause it was probable that as much as 7*s.* in the pound, or even more, would be required from the richer ratepayers. The Blackburn board of guardians on Saturday resolved unanimously that the clerk be instructed to prepare a memorial to the Poor Law Board, setting forth the distress that existed, and praying them to take steps not by a rate in aid, but by "granting powers to borrow money" to alleviate the distress. It was further stated that the rate of 3*s.* made in February last was nearly exhausted, and that another such rate made now would, instead of producing £18,000, realize only £12,000, so great was the difficulty in collecting it. He had received a letter from Preston that evening which stated the Board had on the previous day considered the plan of borrowing, and no doubt his right hon. Friend had received a memorial from them. He trusted that the House would not think that the people of Lancashire were coming to ask national aid, for he could assure them that they wished to meet the distress manfully and fairly from their own resources. He must express his thanks on behalf of the operatives of his own district to the House and to the public generally for the great sympathy which had been shown during this distress. He was proud of the operatives of Lancashire, having seen them increasing in prudence, foresight and education, and, indeed, in everything that fitted them to be citizens of their country; but he was still prouder when he felt that they had deserved the sympathy which they had received during this time of distress.

MR. A. F. EGERTON did not rise to discuss the Bill upon the present occasion, but he wished to refer to an observation that had been made, to the effect that the emergency was not so great as it was thought. He could assure the House that in Lancashire they had a different opinion, where it was thought the emergency could hardly be greater, because it was feared that during the few ensuing months there would be an absolute dearth of employment in that county. Of course they could not know what Providence had in store for them, but it was to be earnestly hoped that some better day would dawn upon them. It was certain, however, that at the present the horizon was very dark, and he thought it absolutely necessary that the Poor Law authorities should, under these circumstances, be armed with greater powers. Reserving to himself the right of considering the details of the Bill, he thanked the right hon. Gentleman the President of the Poor Law Board and the Government for introducing a measure to provide against any probable emergency.

MR. GILPIN said, that if the subject were entirely new, and the distress in Lancashire were not, in fact, so plain that any one who ran might read it, there might be some force in the observations of the right hon. Gentleman the Member for Kilmarnock (Mr. E. P. Bouverie), who now spoke without the responsibility of office. He could assure him and the House that the prospect of distress in the manufacturing districts was something appalling. He did not wish to paint too black a picture of the present state of things, but he was convinced that the Government had not taken this step one hour too early, in order to secure efficient relief being afforded during the recess. They had all heard of the manner in which the distress had been borne by the Lancashire operatives, and how their property was being dispersed little by little; and the facts brought before the Poor Law Board left no doubt whatever, that severe as their sufferings had hitherto been, they were light compared with what might probably have to be endured, unless something unforeseen happened in the next few months. The Government were desirous to be prepared to meet the emergency, and if it did not arise no harm would be done. At the same time, they would have failed in their duty if they had not asked the consent of the House to some measure which would give effectual relief to the distress, which, unfortunately, was too probable. He was sure the public as well as the House desired that the sufferings of thousands and tens of thousands should be relieved at any price, and as far as possible without compromising that independence of which the recipients and their fellow-countrymnwereequally proud.

MR. LYGON thought that scant justice had been done to the admirable remarks of the right hon. Member for Kilmarnock (Mr. Bouverie) when it was said that he did not appreciate the emergency. The right hon. Gentleman, as he understood, had no desire to deny the existence of distress and the probability that it would increase in the winter, and he was anxious that the sufferings of the operatives and their families should be relieved; but what he contended was that those sufferings might be relieved without taking the burden off the shoulders of the ratepayers. No evidence had been adduced to show that the pressure upon the ratepayers was now, or would be during the winter, so great that any rash or hasty measures should be taken to transfer the burden upon the property of the district to other shoulders. Those who during the last few years had benefited so largely from the manufacture, and whose property had been so largely increased in value, ought to bear their fair share of the burden, and Parliament ought not to let its sympathies for the operatives be the means of transferring the burden of meeting this distress from those to whom it legitimately belonged.

VISCOUNT PALMERSTON: I think the House has done very properly in abstaining from any very minute discussion on the details of the Bill; but I think, also, that some mistake has arisen as to the nature of the plan which my right hon. Friend has shadowed forth. It is not intended to transfer the burden from the ratepayers to other quarters; on the contrary, the Bill of my right hon. Friend is of this nature—where the burden may become so great upon a narrow circle of ratepayers as to exhaust their means, then it is proposed that its incidence should be distributed over a wider range. But, in any event, the operation of the Bill is to be confined to the two counties, Lancashire and Cheshire, which have chiefly benefited by the manufacturing prosperity which has now, for the moment, unhappily been checked. Nothing, I am sure, can be more sincere than the feeling which prevails in this House and the country of admiration for the manly fortitude which has been displayed by the labouring classes in those districts. I think, then, it would have been a great neglect of duty on the part of Her Majesty's Government if, seeing the great amount of distress that exists at present, and forseeing that the course of events may, in the progress of the autumn, not only continue that distress, but aggravate it to a considerabe degree, we allowed Parliament to separate without providing some means and establishing some machinery by which the aggravated distress and decreasing local means might be relieved and assisted. If we allowed Parliament to separate, and called it together suddenly in the autumn for the purpose of doing that which we ought to have done before, I think we should be justly liable to censure. Now, with respect to what has fallen from the hon. Gentleman the Member for Lancashire (Colonel Wilson Patten), we are quite willing to hear everything that those who are acquainted with the local details of the case may suggest, either for or against the particular measure we propose. We are not wedded to its provisions. Our anxiety is to do that which, upon full consideration, may appear best calculated to meet the evil, and therefore we shall be happy to hear the opinions of those who from local knowledge are qualified to make suggestions. Our wish is that the Bill should be read a second time on Thursday—it will be printed to-morrow morning—and then we can fix such a day for Committee as may afford ample time for information to reach us from the districts particularly interested. We have no wish to hurry the Bill; and even if it be necessary to prolong our sittings for a few days, I am sure the House would not grudge the time which would be given to the subject.

Mr. AYRTON said, as the measure proceeded on a percentage of increase in the rates, and not on any fixed amount of charge, he wished to know whether the right hon. Gentleman would lay before the House a tabular statement with regard to the rates in Lancashire and Cheshire, to enable the House to judge of the probable effect of the scheme in those counties.

Mr. C. P. VILLIERS said, a Return had been made to the House in 1856 of the rateable value of every district in the country. With respect to the rate of expenditure, which he presumed was what the hon. Gentleman wished for, no Returns on that subject had been moved for. If they should be moved for, he should be happy to give them.

Leave given.

Bill to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary demands for Relief therein, *ordered* to be brought in by Mr. Villiers, Sir George Grey, and Mr. Gilpin.

Bill *presented,* and read 1°; to be read 2° on *Thursday,* and to be *printed* [Bill 224].

LUNATICS LAW AMENDMENT BILL.

[BILL NO. 216.] CONSIDERATION.

Order for Consideration read.

Mr. HIBBERT moved the following clause, which was agreed to:—

"The superintendent of every asylum shall, once at least in each half-year, transmit to the guardians of every union and of every parish under a board of guardians, and the overseer of every parish not in a union nor under a board of guardians, a statement of the condition of every pauper lunatic chargeable to such union or parish."

Mr. BUTT then moved the insertion of a clause, providing that copies, orders, and certificates shall be given on demand to any person who shall be received as a patient or alleged lunatic into any asylum.

Clause,

(Any person who shall be received as a patient or alleged lunatic into any asylum, registered hospital, or licensed house under the provisions of the Lunacy Acts, chapter ninety-six or ninety-seven, shall have a right to demand, orally or by writing under his hand, from the superintendent or other person keeping him in restraint, a copy of the order and certificates under which he has been received as an inmate; and in case any superintendent or other person having the control of such asylum, registered hospital, or licensed house shall not, upon such demand, deliver to the alleged lunatic true copies of same within a reasonable time after such demand, such superintendent or other person shall be guilty of a misdemeanour, unless the state of mind of such alleged lunatic shall be such as to make it impossible for him to exercise any mental resolution upon the subject, or to make it dangerous and unsafe to comply with such demand),

—*brought up,* and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR GEORGE GREY opposed the clause, and stated that the subject had been fully considered and discussed by the Committee to which the Bill had been referred.

Motion and Clause, by leave, *withdrawn.*

Bill to be read 3° *To-morrow.*

POLLING PLACES (NEW SHOREHAM, &c.) BILL—[BILL No. 218.]

SECOND READING.

Order for Second Reading read.

MR. PEACOCKE hoped the Bill would not be pressed, as more general legislation might be found to be necessary.

SIR GEORGE GREY said, that the five boroughs with which this Bill dealt stood in a peculiar position as the Reform Act had nominated the polling places, which it would require the authority of Parliament to change.

Bill read 2°, and *committed* for *To-morrow.*

House adjourned at Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, July 23, 1862.

MINUTES.]—PUBLIC BILLS.—1° Writs Prohibition; Consolidated Fund (Appropriation); Gunpowder Act Amendment; Tralee Savings Bank.

2° Statute Labour Roads and Bridges (Scotland); Elections during Recess; Militia Pay; Corrupt Practices Prevention Act Continuance.

3° Highland Roads and Bridges; Militia Ballots Suspension; Lunatics Law Amendment.

TRAMWAYS BILL—[BILL No. 193.]

BILL WITHDRAWN.

MR. AYRTON said, that as this Bill would require considerable time for its discussion, and the Session being too far advanced to permit it receiving the attention it deserved, he proposed to move that the Order of the Day for the Committee upon it should be discharged. He hoped, however, that the Government would take up the Bill in the next Session, for it was the Government alone that could combat the powerful private interests which demanded undue concessions. If they did not, he would himself re-introduce the Bill early in the Session and endeavour to arrive at some practical result.

Order of the Day for the Committee read, and *discharged.*

JUDGMENTS, &c. LAW AMENDMENT BILL.

[BILL NO. 157.] SECOND READING.

Order for Second Reading read.

MR. HADFIELD, in moving the second reading, said, that the object of the measure was to make the law concerning judgments applicable to real estate in the same way that it now was to personal property. If a person purchased Consols or shares in a railway company, he was under no obligation to make a search into the title of the seller, for that appeared in the entry in the books of the Bank of England or of the railway company, nor was he required to make a search for judgments. In the manner proposed by the Bill, he hoped to some extent to cheapen and facilitate the transfer of land. At present, if a person bought land or houses, he might pay his money and receive the title deeds, and then find that some person had recovered a judgment against the seller which amounted to more than the amount paid for the estate, and the purchaser lost the estate he had purchased. The object of this Bill was to prevent that injustice from being committed. He dared say the Attorney General would tell the House of the large amount of the sums for which judgments had been recovered, namely, £16,000,000; but that included the amount which had accumulated from the beginning of the world to the present time. The fact was that the greater proportion of these judgments were for very small sums. Out of 3,000 judgments entered up in one year and ten months, 1,343 were judgments for less than £100 each, and only 370 were judgments for sums exceeding £1,000. Yet, as the law now existed, every purchaser of real property, in all parts of England, must search for judgments at considerable expense, or run the risks he had mentioned. Lord St. Leonards, who had written an excellent work known as *Sugden's Law of Vendors and Purchasers*, which was in the library of every professional man, advised that a search should be made for judgments in every case of purchase up to the very day that the purchase was completed. Why, they might as well search up to the very hour, and to carry out this advice would require a telegraph in every attorney's office in the kingdom. His object was not to prevent the creditor from recovering his debt, but to prevent *bonâ fide* purchasers of real property for valuable consideration being put to the trouble and expense of searching for judgments, and incurring the risk they now ran of judgments being in existence which might not be discovered when the search was made. To obviate all objection, he was willing to abandon so much of the Bill as proposed to affect existing judgments. Let them, as men of business, put an end to a system at once so vexatious, so unnecessary, and so expensive. His object was to protect the honest purchaser and save expense.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. HUMBERSTON seconded the Motion. It was a great hardship upon a purchaser that after paying his money the judgment creditor came in before him. It was also a great hardship on the solicitor. As far as he could see, there was no advantage in continuing the present system.

The ATTORNEY GENERAL said, that the objections which he felt to this measure remained unaltered. The effect of the measure, should it become law, would be to introduce important changes into the existing law, and he sought in vain for any good grounds for the introduction of such changes. The course which his hon. Friend asked the House to sanction was opposed to the policy, with respect to judgments which had been for the last twenty years pursued by Parliament with the approbation of the country. And what, he would ask, was the evil which it was proposed by the Bill to obviate? It was alleged that as things at present stood the *bonâ fide* purchaser of land had no adequate protection against those who might have special claims upon it, and therefore it was sought to give him and the mortgagee that protection, but at the expense of the judgment creditor. He must, however, repeat that such a proposition ran counter to the course of legislation which we had hitherto adopted, as was proved by a reference to various Acts of Parliament by which the operation of judgments as a charge upon land was extended, while a system of making proper entries of such charges was enforced; so that a prudent purchaser might with very little difficulty institute a search and satisfy himself of their existence before he bought the land. The expense of making such a search was, however, alleged as the great grievance of the existing law; but that was an evil which could scarcely be said to operate in the case of London solicitors, who might easily send their clerks to the office where the entries were kept; while even in the case of those who lived at a distance the expenses of the inquiry could not be said to be very great. Now, why should the judgment creditor be deprived of the advantage which the law now gave him in order to effect so trifling an object? Was he to be sacrificed, and the purchaser placed in a position to set his claims at defiance, merely to save a few shillings to the seller? The argument of his hon. Friend was, that the judgment creditor on land should have no right which the creditors on other species of property had not. But the measure would have the effect of depriving the judgment creditor on land of a right which he at present possessed, for an object which with a little trouble, and at small expense, could be effected under the law as it stood. But it was not alone the judgment creditor who had an interest in the decision of the House on this point. It was also a matter of considerable importance to the landowner that a convenient and inexpensive mode of obtaining money by giving his creditors the security of his land for their repayment should not be set aside. If this Bill became law, the owner of land could never obtain the loan of a sixpence without the expense and inconvenience of mortgaging his property. For these reasons he thought the House ought not to pass the Bill, and he would move that the second reading be postponed to this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question proposed, "That the word 'now,' stand part of the Question."

Mr. HADFIELD said, he would not, at that period of the Session, put the House to the trouble of dividing, but he must say that in his opinion the hon. and learned Gentleman had given no sufficient answer to the arguments he had put forward in favour of a change in the law.

Amendment and Motion, by leave, *withdrawn;* Bill *withdrawn*.

NIGHT POACHING PREVENTION BILL.

[BILL NO. 204] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR GEORGE GREY said, that after the decision of the House on the second reading it was not his intention to offer any opposition to the present Motion. He took that course the more willingly, because he did not know what the Bill was which they were now asked to sanction. He had no reason to be dissatisfied with the result of the discussion on the second reading. Very serious objections had been stated to the Bill as it came down from the other House. Those objections had not been satisfactorily answered, and the result was, that the supporters of the Bill had themselves given notice of important amendments and alterations, which filled upwards of five pages of the paper. He had no objection, therefore, to go into the consideration, he would not say of the Bill, but of the Amendments, some of which, if carried, would alter the measure very materially and would improve it. It would be observed, for example, that the hon. Baronet who had charge of the Bill (Sir Baldwin Leighton) had given notice to move that those provisions of the Bill which enabled a single policeman to apprehend persons without warrant, on mere suspicion, should be struck out. He was glad to find that that provision of the Bill found no supporters in that House. But there were other objections to the Bill which remained untouched, and, among others, the objection which had been so ably urged by the right hon. Member for Oxfordshire, that the Bill would entirely alter the nature of the employment of the county police. The police now patrolled singly, and they were generally popular as the defenders of life and property; but it would be impossible for one policeman to cope with gangs of poachers; and if the Bill were to be carried out, there must be large bodies of policemen combined together, which would render indispensable a large addition to the force. Should the force be increased, it might be necessary to revise the proposal that one-fourth of the expense should be borne by the country at large. He was as anxious as any one to see poaching put down, and he therefore had no wish to throw his shield over poachers; but he believed the evil was caused by the over-preservation of game, and the remedy lay in the hands of the landowners themselves. Nobody could desire to prevent a gentleman from preserving game for the purpose of sport; but Parliament ought not to be asked to give additional protection to those who maintained great preserves in order that they might have the pleasure of reading in the newspapers towards the end of the season that they and their friends had in the course of a few days killed 4,000 or 5,000 head of game. These enormous quantities of game must be preserved throughout the year, and the consequence was, that this qualified property invited, perhaps to a greater degree than other kinds of property left exposed, the depredations of the poacher. When other kinds of property were unduly exposed, the thief, of course, was punished, but the judges condemned the practice; and it appeared to him, that if large preserves were to be maintained, they should be protected at the expense, not of the ratepayers, but of the owners themselves.

MR. W. E. FORSTER appealed to the hon. Baronet who had charge of the Bill (Sir Baldwin Leighton) whether this late period of the Session was the proper period for bringing forward so important a measure. There were so many Amendments and alterations that the Bill would require to be redrawn. With the alterations it was, in fact, an entirely fresh Bill, or rather two Bills. There was a strong feeling against the Bill in the country, and if there was time, numerous petitions would be presented against it. He did not think that at so late a period of the Session a Bill of this kind should be introduced in opposition to the opinion of the Home Secretary, who was responsible for the peace and order of the country, and he would recommend that it should be postponed till next Session, when a Select Committee might be appointed to inquire into the whole law upon the subject.

SIR JOSEPH PAXTON said, he was satisfied, having had the management of large game preserves, that the Bill, if passed into law, would create difficulties and disturbances in every county in England. Gamekeepers were very unpopular, not only with the common people, but likewise with the tenant-farmers; and to associate policemen with them would simply be to throw upon that force a portion of the odium which was now borne by the latter alone. The police had plenty to do already, and the House should pause before calling upon them, in addition to their other duties, to assist in putting down poaching. The police in the rural districts, and the gamekeepers themselves, were opposed to this measure. Under this Bill, if a farmer was going in his cart to market, and happened to be carrying a brace of pheasants or a hare, he might be stopped by the police, and carried before a magistrate to account for the possession of this game. That would never be tolerated. His own opinion was, that the evil lay in the large amount of game preserved and in the facilities afforded by railways for sending the game to market. He trusted the Bill would be withdrawn; but meanwhile he had no hesitation in moving, as an Amendment, that the House should go into Committee upon it that day three months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"

—instead thereof.

Lord HENLEY seconded the Amendment. He had two objections to the Bill. One was, that it would make the police force in counties very unpopular. He had had considerable experience with regard to the police, for he had been a Member of the Police Committee in Northamptonshire, in conjuuction with General Cartwright, and they had always set their faces against the police being used to assist in the preservation of game. This course had made the police in Northamptonshire a popular force with ratepayers, instead of an unpopular one. This Bill, therefore, would undo all the good that had already been done in Northamptonshire. Nobody could doubt, that under the altered state of the law the walks of the police would always be taken in the direction of the best game preserves, inasmuch as the first wish of a chief constable was to stand well with the principal magistrates in the county. He thought that those who had game preserves should pay for their preservation. The other objection was, that the Bill would increase poaching, instead of diminishing it; because it would make preserving so much easier that a great many landowners who did not now preserve at all would be induced to follow the example of their neighbours, and thus offer additional temptations to the poacher. It had been said that poaching invariably led to other crimes, but the right hon. Member for Oxfordshire had exposed that fallacy. In the minds of the common people there was a great distinction between game and other kinds of property. The peasantry looked upon game as they looked upon rooks and foxes, and to take game was not, in their opinion an act of theft. The governor of the gaol of Northamptonshire once pointed out to him a man who was then committed to prison for the twenty-second time, but invariably for poaching. Let them consider what that man cost the county for police expenses, and for maintaining him in prison. He admitted that an evil existed, but it might be remedied in a way very different from that proposed in the present Bill. It might be met by an arrangement similar to that adopted in Roxburghshire, where the game preservers, in return for a certain money payment towards the police and county rate, obtained the services of the police. Another plan was to give a little more power to gamekeepers, allowing them to stop and search poachers, not only when they found them on their masters' ground, but also whenever and wherever they had reason to suspect that they were carrying game away from it. This Bill would cause great evils, and render the police unpopular. If it could be shelved for this winter, they might be exposed to certain evils, but the evils would not be so great as those that would be caused by the operation of this measure.

Lord STANLEY said, that he fully concurred in the views which had been expressed by the right hon. Member for Oxfordshire (Mr. Henley) on the second reading. He did not intend to go into the merits of the Bill, partly because they had already been fully discussed, and partly because, looking at the Bill and the Amendments upon it, he had no idea what was the question really before the House. The Amendments extended to almost as great a length as the Bill itself; some of them were very important, affecting the principle of the measure, and if they were adopted, the Bill would assume a very different form from that in which it had been considered in the other House. He admitted that the Game Laws required amendment, but they should be dealt with in a more comprehensive manner than was now proposed. Much might be done, while giving all reasonable protection to the amusements and interests of game preservers, to remove the undoubted unpopularity which attached to the present Bill; but Parliament ought to proceed by way of inquiry, and then by a revision of the whole law. There was also a question of policy which they were bound to consider. We had before us a season of greater distress than had occurred during the last fifteen or twenty years. Hitherto the unemployed operatives had borne their sufferings with exemplary patience; but no man could doubt that where there was a great deal of distress sooner or later there must be popular discontent. The present Bill was promoted because it was believed to be a measure for the enforcement of public order and the protection of life and property; but how would it be regarded out of doors? He did not say what the Bill was intended to be, but what it would be represented to be. It would be said that in a time of national distress—almost of national famine — when every thinking man was looking into the future with anxiety and dread, the last act of the House of Commons before the recess was to pass a law for the protection of their own amusements. Looking to the popularity and influence of the House—looking more especially to the political position of those hon. Gentlemen on his own side who were the principal supporters of the Bill, he felt it his duty to warn them against passing such a measure at such a time. Reserving his opinion as to the real merits of the measure, and as to its principle, until the subject had been inquired into, and not wishing that such a Bill should be passed at the present time, he should vote against going into Committee.

MR. WALTER admitted the necessity of putting down that system of poaching which had been so long the disgrace of the country and the terror of the neighbourhoods in which it was pursued; but, at the same time, on carefully looking over the Bill, he had great doubts whether it would effect the object which all had in view. He agreed with the noble Lord who spoke last (Lord Stanley) that the subject should be entered into much more deeply than was now proposed. The Bill in principle did not go far enough, because it continued that mischievous old feudal doctrine upon which the legal theory of game was defended, namely, that game were *feræ naturæ*, the property of any person who took possession first. Such was the legal theory both in England and in France, and he believed that upon that theory the whole superstructure of poaching rested. It had been truly said that poachers had loose ideas as to the nature of the offence they committed when they killed hares or pheasants. The distinction drawn between game and other kinds of property was a very pernicious one. Poaching was neither more nor less than theft. Game was property of a qualified description—it was an attribute of land; and it would comport with common sense and the spirit of modern civilization to recognise it as such, dealing with it accordingly. Make poaching simple larceny, and its sentimental and romantic character would be destroyed;—treat a poacher as a thief, and his neighbours would no longer regard him as a hero. The first clause of the Bill invested the police with a power which was exercised only in cases where private property was stolen. It consequently proceeded upon a theory which was not recognised by the law in the case of game. But the second clause was still more objectionable, because it rendered all tradesmen who sold game liable to have their books searched by the police. Such a provision would be intolerable in its operation, and it might be as well applied to fishmongers and poulterers as to persons who sold game. It appeared to him that the first thing the House had to do was to decide what game was. He thought it should be treated as private property, and he believed the country generally would acquiesce in that view, as far, at all events, as the most important portion of English game—pheasants—was concerned. It was difficult to understand how pheasants could be considered *feræ naturæ*. Gamekeepers called them by their names; they came when called, and there was in all respects a broad distinction between them and rabbits and snipes, which lived upon what might be termed the natural plunder of the land. He did not think that anything could be done with the present Bill, but it might be hoped that the Government, without having any more Select Committees, which were unnecessary, would lose no time in bringing forward a measure framed upon right principles, and calculated to effect the object which all had in view.

LORD GREY DE WILTON said, he could not see how this Bill would make the police unpopular.

MR. KNIGHTLEY said, it had been

stated that the effect of the Bill would be to make the police unpopular, but he had always thought that the police were bound to enforce the laws. He also denied that game had never been considered in the light of property.

Sir BALDWIN LEIGHTON stated that after the feeling exhibited by a large majority of the House in favour of the Bill on the second reading, notwithstanding the opposition of the right hon. Baronet the Secretary of State for the Home Department, and his right hon. Friend the Member for Oxfordshire, both Gentlemen possessing deservedly great weight, he thought it quite necessary that he should proceed with the Bill. With respect to what had been objected to by the hon. Member for Berkshire (Mr. Walter) as to the right of search, that was now conceded; and as to the inconvenience of keeping books, pawnbrokers and others were obliged to keep books.

Sir GEORGE GREY said, after the decision of the House by a large majority on the second reading, he had no wish to offer any objection to going into Committee in order that the Amendments, which were not only very numerous, but important, should be fairly considered, reserving to himself the right, when the Bill came out of Committee, to deal with it as he should think proper. He hoped, therefore, his hon. Friend the Member for Coventry (Sir Joseph Paxton) would not give the House the trouble of a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 139; Noes 49: Majority 90.

Main Question put, and *agreed to.*

House in Committee.

Clause 1 (Constables may search any Person without Warrant in certain Cases.)

Mr. STANILAND, who had given notice of a series of Amendments to the clause, moved the first in order—namely,

> To leave out in line nine "1," and insert "2;" before "it," to insert "from and after the passing of this Act;" and in line ten to leave out "between."

The object of his Amendments was to give the police power to stop parties whom they had reason to believe were about to engage in poaching, and take from them their nets, snares, and other engines. He would give the police the same power which was at present possessed by gamekeepers on the land of their employers. By limiting the time within which the search was to take place, they would altogether destroy the value of the measure. Poachers would then go out on their marauding expeditions only a little earlier than the hour named, and come home a little later, and thus enjoy the same impunity as at present.

Mr. NEWDEGATE said, that if this Bill were not passed, they were threatened with one more comprehensive, which would really infringe on the liberty of the subject. For this reason he was anxious to support the Bill. He hoped, however, that its provisions would be made as moderate as possible.

Sir BALDWIN LEIGHTON said, he was ready to adopt the Amendment of the hon. Member for Boston (Mr. Staniland).

Sir GEORGE GREY objected to the Amendment, because while they only professed to give to the police the power now possessed by an owner, occupier, or gamekeeper, they, in fact, went much furthet. The law at present only gave the owner or occupier, or his servant, power in case of a party trespassing by day-time in pursuit of game to demand his name and address; and if these were given, he could be pursued only in ordinary process of law; but if this Bill passed, after a party who had given his name and address left the land, he might be searched by the police, apprehended, and imprisoned. He objected to the omission of the words proposed in the Amendments.

Mr. HENLEY thought they had reason to complain of the manner in which they were called on to discuss these Amendments. A long string of Amendments had been put on the paper, and there was great difficulty in knowing whether they were to be opposed or supported by the hon. Baronet who had charge of the Bill. The Bill consisted of only three clauses, and there were no fewer than thirty-three Amendments of which notice had been given. Some of these were utterly inconsistent with others, and no one could tell which they ought to support or which to oppose, or whether they would make the clause more or less stringent. It would be but fair that the hon. Baronet should inform them what he proposed to adopt and what to oppose.

Sir BALDWIN LEIGHTON said, that there was a very strong impression both among those who opposed this Bill and others, that the power of apprehension was rather too stringent; he therefore thought it better that the police should merely have the power of seizing the property and then summoning the offender. An hon. Member opposite gave notice of an Amendment, that under certain circumstances the police should have the power to apprehend, but, he believed, he did not intend to insist on it. He did not hold himself responsible for any Amendment but what he should propose himself.

Sir GEORGE GREY said, the Bill was for the prevention of night-poaching; but the hon. Baronet now agreed to the very first Amendment proposed, which entirely changed the character of the measure, and extended it to day as well as to night poaching.

Sir BALDWIN LEIGHTON said, the poaching was committed during the night, and it was to prevent poaching during the night that the police had power to seize during the day.

Sir GEORGE GREY said, that this Amendment was expressly intended to include day poaching, and not to restrict the operation of the clause to the unlawful obtaining of game at night. This would entirely alter the character of the Bill, and would, if agreed to, render it necessary to alter the title and the preamble.

Mr. W. E. FORSTER asked, how a policeman would manage to discover whether a man whom he wished to apprehend had obtained his game in the night? He had understood, when the second reading was carried, that the hon. Member for Boston (Mr. Staniland) would propose Amendments to make the Bill less stringent; but his first Amendment would make the Bill three times more stringent than it was originally.

Mr. PEACOCKE asked, if the police had not within the metropolitan district the very same powers which this Bill gave to the police in rural districts.

Sir GEORGE GREY said, that specific powers were granted by Parliament to the police within the metropolitan district, where parties were suspected of being about to commit felony, or of having stolen property in their possession. Game, however, was not property in that sense; the Commissioners of Police had assured him that game was not considered to come under the clause, and strict injunctions were given to the police not to search poachers.

Sir BALDWIN LEIGHTON understood that there had been one case in which they had done so.

Sir GEORGE GREY said, that if the poachers came under the provisions of the Night Poaching Act, it would become their duty to search and apprehend them.

Mr. BASS said, that it was not desired by the Bill to employ police in the preservation of game; but it was believed, that if poachers returning home with their plunder were liable to be overhauled, night poaching would be checked. This was what he was told, not only by the police, but by poachers, with whom he had a large acquaintance. He believed that a moderate preservation of game was a national advantage. He had a small preserve in Hertfordshire, within fourteen miles of Hyde Park Corner, and consequently within the jurisdiction of the Metropolitan Act; and although there was only a small force of gamekeepers, there had not been a case of night poaching in four years, and there had not been any complaint that the police had employed themselves in looking after game instead of attending to their ordinary duties.

Colonel NORTH thought these poachers ought not to be allowed to have it all their own way. Not long ago a brutal and premeditated murder was committed in his county by one of them, and the man was condemned to death; but the Home Secretary, for reasons with which persons living in the neighbourhood were not acquainted, remitted the sentence.

Sir GEORGE GREY said, that as the hon. and gallant Member had charged him with remitting a sentence of capital punishment pronounced on a man who—the hon. and gallant Member stated on his own authority—had committed a most premeditated murder, he begged to tell him that the report of the Judge who presided at the trial, with that impartiality which usually distinguished our judicial bench, led to a very different opinion as to the premeditation of the crime.

Mr. GARNETT thought that the retention of the words in the clause would make the Bill quite contemptible. It would be absurd to sanction a provision which would enable night poachers to defy the police by merely deferring to bring home their spoil till half-past 8 o'clock in the morning. He denied that gamekeepers, as a rule, were unpopular characters in the county. A near relative of his, who was a moderate preserver of game, some years ago gave up the practice in order to prevent conflicts with poachers; but, before a year had expired, his tenants came to him and begged him to restore the gamekeepers, because their farms were subject to the intrusion of these daring marauders. His relative complied with that request. The supporters of this Bill did not desire to turn the police into gamekeepers; all they desired was to put a stop to the murderous attacks which were so frequently made by gangs of armed men upon honest servants who were only in the discharge of the service they owed to their masters. As to game not being property, his hon. Friend the Member for Berkshire (Mr. Walter) had clearly stated enough on that point. He did not think the remark of the noble Lord the Member for King's Lynn (Lord Stanley) with reference to present circumstances was at all justifiable. He sympathized with the brave and heroic men who were now suffering severe distress in his own county; but he looked upon this as a most wise, proper, and even merciful measure, which the House ought to pass. He hoped that some legislation on the subject would take place before the close of the Session.

Sir FRANCIS GOLDSMID emphatically protested against the undue haste with which legislation of this kind was being pressed. The observations of the hon. Gentleman who had just sat down were a proof of the inconsiderate haste with which this measure was sought to be forced on.

Mr. STANILAND said, that the Home Secretary having dissented very strongly to the omission of the words which he had proposed to leave out, although not convinced by the right hon. Gentleman's arguments, yet, in deference to his wishes, he begged to withdraw his Amendment.

Mr. HENLEY said, that a recent unhappy transaction in his county having been alluded to in the course of the discussion, he felt it incumbent on him to state, after having paid considerable attention to the evidence given in the case, and to the representations made to the Home Secretary, that he was satisfied the right hon. Baronet could not have done otherwise than recommend a remission of the sentence of death under the circumstances. Not many years before the converse of that case occurred, when an unfortunate man, while trespassing, was shot by a gamekeeper, who, however, was not capitally punished.

Mr. CONINGHAM said, he entirely concurred in the opinion expressed by the noble Lord opposite (Lord Stanley). He believed the Bill was calculated to bring on conflicts between poachers and the police. ["Oh, oh!"] Hon. Gentlemen opposite showed more enthusiasm upon this question than if it had really been one of national importance. The serried ranks of the Opposition on this occasion must produce a profound impression on the country. ["Divide!"] A friend of his had remarked that questions about the game laws drove country gentlemen mad. ["Oh, oh!"] Hon. Gentlemen opposite were only wasting time, for they would not succeed in silencing him. They represented the monopolists of the country, they were the representatives of the dirty acres. When a question arose affecting the interests of their fellow-countrymen, these partridge-slayers — ["Question!" "Divide!"]

Mr. W. EWART interposed to intreat a hearing for the hon. Member for Brighton.

Sir GEORGE GREY suggested that the hon. Gentleman was hardly in order in discussing the general question when there was a specific Motion before the Committee.

Mr. CONINGHAM asked, whether hon. Members opposite were in order when they interrupted him in so unseemly a manner. The supporters of this game-preserving Bill would have to answer to the people. Was it thought that because the Government had turned its back upon reform the people had become indifferent to having their interests fully represented in Parliament? Hon. Members opposite would repent of what they were doing. ["Oh, oh!"] Their unseemly interruptions would go forth to the country. He stood there not the nominee of any great landlord but the representative of an independent constituency. ["Order!"]

Mr. BAILLIE COCHRANE rose to order. The hon. Member for Brighton was not discussing the question before them, but simply making a hustings speech.

The CHAIRMAN hoped the hon. Member would confine himself to the Question.

Mr. CONINGHAM said, the irregularity came from the opposite side. He had told them some unpleasant truths—

which he defied them to controvert. ["Order!"] He was not discussing the provisions of the measure. The Amendment was proposed to be withdrawn, and he trusted the same fate awaited the Bill. He could not believe that in the middle of the nineteenth century such a Bill could be seriously brought forward, and that a deliberate attempt would be made to force it through the House. At a time when the people of this country were famishing for want of bread he thought that a Parliament which reverted to the feudal and antiquated notions about the Game Laws had better return as soon as possible to its constituencies. [*The hon. Member spoke throughout amid much interruption.*]

Sir MINTO FARQUHAR said, he should have no objection to meet the hon. Member on any hustings in England. Anything more unfair, unjust, or unjustifiable than the hon. Member's remarks towards the hon. Gentlemen who sat around him he had never heard. He was satisfied there was no body of men more anxious than his hon. Friends to consider the wants of the people.

Mr. KNIGHTLEY did not think it necessary to defend the country gentlemen of England, but he must object to the Amendment being withdrawn.

Major EDWARDS only wished the hon. Member for Brighton could command his temper on these occasions, as he would thereby facilitate the business of the House. He denied altogether the assertion that the working classes throughout the country were opposed to such a measure as this, for poaching did not increase in proportion to the number of people out of work. It was a gross insult and a libel on the character of the honest and industrious English workman to assume that he had any sympathy or connection with the marauders against whom this legislation was directed. They were not the parties to which the Bill pointed, but a dissipated ruffianly class, who, too idle to work, lived from year to year by plundering their neighbours; and this class were always very numerous in towns in the neighbourhood of which large preserves existed. He could mention many towns in Yorkshire where gangs of poachers, all of them known to the police, went out at night with the avowed object of bringing home in the morning cart-loads of game from the neighbouring preserves, and setting the police and all authority at defiance. He (Major Edwards) had been a preserver of game for more than a quarter of a century, and during that period serious encounters between his keepers and gangs of these ruffians had taken place. Only last year an instance of the kind resulted very seriously, and one of the party, who was left for dead, had not yet recovered. This was but one instance of a hundred that might be mentioned. A practice which prevailed extensively on the Yorkshire moors was for gangs of thirty men or more, with blackened faces, to go out at night with a net 600 yards long and six feet high, and, if unmolested, they would clear the moors of game for miles; and two years ago a net of this description was taken. He did not wish the rural police to assist the gamekeepers, or to interfere in any way with the preservation of game. They ought merely to possess the power exercised by the metropolitan police—to stop suspected persons on the highway at night, and make them account for the property they had in their possession. If game was to be considered property, those who were interested in its preservation had a right to complain of the law as it now stood. For these reasons he gave his support to the Bill.

The Amendment was then put, and *negatived*.

Sir GEORGE GREY proposed to insert in the first clause, line 11, after the word "between," the words "the expiration of the first hour after sunset and the beginning of the first hour before sunrise."

Amendment proposed,

In page 1, line 11, after the word "between," to insert the words "the expiration of the first hour after sunset and the beginning of the first hour before sunrise."

Sir BALDWIN LEIGHTON said, he could not accede to this Amendment, which would defeat the Amendment previously agreed to.

Question put, "That those words be there inserted."

The Committee *divided*: — Ayes 77; Noes 153: Majority 76.

Mr. CRAUFURD thought the Committee, by agreeing to an Amendment inconsistent with the title and preamble of the Bill, had exceded the order of reference, and he therefore begged to move that the Chairman now report progress.

The CHAIRMAN said, the hon. and learned Gentleman laboured under a misapprehension. The Amendment made was one within the competence of the Committee.

Sir GEORGE GREY trusted, after that intimation from the Chair, that the motion for reporting progress would not be pressed. It was better to fight the Bill by legitimate weapons.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:* — Ayes 41; Noes 171: Majority 130.

Mr. AYRTON said, that this measure was grossly unjust, and quite opposed to the modern spirit of legislation. It would lead to the most unjust interference by the police in searching the people, who were, in fact, to be placed absolutely at their mercy. He called attention to the fact that little by little attempts were being made—first, by the shipowners, to follow little bits of rope and yarn; next, by the iron trade of Birmingham, to follow little bits of things to the marine store dealer's, and summarily search the premises. This year the Government had introduced a measure giving a summary power of searching for things stolen out of the store depôts; and subsequently the same power was given to search summarily for obscene prints. All those attempts were departures from the ordinary process of law by means of summons and conviction. He would propose an Amendment which, he thought, would tend to bring this Bill more into accordance with the ordinary principles of law. The Bill was intended to meet the particular evil of bands of men entering upon lands, taking game, and then upon regaining the high road being free from all question as to their proceedings. That was a great evil, but there was no connection between the provisions of the Bill and that evil. As the Bill stood, any person, at any time of the day or night, going along a highway, might be suspected of the unlawful possession of game, and be stopped and searched by the police. He should move as an Amendment that the police have power to search any person "coming from any land where he shall have been unlawfully in search or pursuit of game," adopting the expression of the present Game Laws.

Mr. NEWDEGATE expressed his satisfaction at the tone and temper in which the hon. Member for the Tower Hamlets had introduced his Amendment. The hon. Member had cited several instances in which the House had granted power to search persons suspected of being in unlawful possession of the property of others. The machinery of the Bill was thus adapted to the prevention of poaching, on the same principles as other acts for the repression of theft. But he (Mr. Newdegate) was afraid, that if the Amendment were carried in its present form, it would defeat the object of the Bill, because it would interpose almost insuperable difficulties in the way of proving that persons were coming from lands on which they had been unlawfully in search of game. It was perfectly true that the Metropolitan Police were not permitted to use the power of arresting persons in possession of game under suspicious circumstances, as they did arrest those suspected of the unlawful possession of other property; but he knew this fact, that the existence of the power of search by those policemen did interpose an effectual check upon poaching within the area of their operations, and he had not the slightest doubt whatever that the mere fact of a poacher knowing that any person suspected of having been on lands in pursuit of game might be searched would tend to prevent poaching. What this Bill aimed at was the prevention of large batches of game being taken to railway stations and sent up to London as a mere system of traffic by gangs of poachers. He fully admitted that there seemed to be a difficulty with respect to game being property; but nobody denied that after the animal was dead it became property, and he did not know why a policeman should not have as much right to search a suspected poacher to see whether he had got any game on him, as to search a man suspected of carrying off a few pieces of old iron. This was a Bill directed against poaching, and to require proof of a man having been in search of game unlawfully upon some particular land, would impose an insuperable bar to the operation of the Bill, and would tend virtually to defeat it altogether. Unless they did something to check the outrages which were continually occurring, the state of things would soon be such as to justify the House of Lords in asking them to carry a Bill of a still more stringent character. Poaching was carried on now too often from no love of sporting whatever, but simply for purposes of traffic; whereas the old-fashioned poacher was at least as much of a sportsman as a robber. Believing that the Amendment, in the terms now proposed, would render the Bill utterly nugatory, he should vote against it, but he hoped that it would be withdrawn and re-considered, and that the object would be effected by better language.

Mr. PAULL said, that the Amendment would make the Act inoperative, as it would be easy for a man who had been unlawfully upon any land to give over the spoils upon the high road to a confederate who had not been upon the land, and the latter could pass the police with impunity.

Sir STAFFORD NORTHCOTE suggested that the police should have power to search any person "whom they may have good cause to suspect of coming from any land," &c.

Mr. CONINGHAM retorted on the landowners that it was they who made the preservation of game a mere matter of traffic, and he defied them to deny it. [Colonel Dickson: I deny it.] He would repeat that they were animated by a mere commercial spirit, and came to that House to ask special legislation in their favour. Whatever the present remnant of the House might choose to do, he was quite sure that the Commons of England would give a very different decision on the Bill. He warned them that the rapid increase of the population and the higher cultivation of the land would soon make the preservation of game impossible; and he told them, that if they wished to indulge in sport, they ought to go abroad to other countries in their yachts, and not trouble the people of England by passing these iniquitous Game Laws. The present so-called "sport" was to get twenty or thirty hon. Gentlemen together, go down into the country, and enter the woods, followed by a cart. The slaughter then commenced; and as soon as the cart was filled, it was packed off to the railway station, and the game sold to the London poulterers. Such a proceeding did not deserve to be called by the name of sport; on the contrary, it was as much a commercial matter as any other mode of dealing with the produce of the land was. ["Oh, oh!"]

Sir BALDWIN LEIGHTON said, he was willing to accept the Amendment, with an alteration to the effect that any person might be apprehended who was suspected of having game in his possession, coming from lands where he had been unlawfully in pursuit of game, or any person acting in combination with such person.

Sir DAVID DUNDAS protested against the word "combination," which was new to the English law, and had not been defined by the Courts, being used in an Act of Parliament; and he pointed out that it might possibly be used to include game-dealers and others living hundreds of miles away from the locality.

Mr. PEACOCKE said, he had suggested the words; but possibly others might be found to meet the case of a man having taken game upon land handing over that game to a comrade upon the high road.

Mr. AYRTON said, as the principle of his Amendment appeared to be assented to, there could be no difficulty in adding words to prevent the law being defeated by such artifices as had been suggested. The hon. Baronet had better consider the point and introduce any appropriate words upon the Report.

Mr. HENLEY also hoped that no words would be used about the construction of which there would be hereafter any difficulty; and he suggested, that as the object of the Amendment was to limit the operation of the Bill, and as the principle of that Amendment was accepted, perhaps the better way would be to consider what would be the proper words to be used, and introduce them on bringing up the Report.

Sir BALDWIN LEIGHTON agreed to consider the point before the Report.

Mr. W. E. FORSTER thought, that as the Bill had been so much altered, and there was such doubt about its scope, the best plan would be to report progress.

Lord JOHN MANNERS said, there was no doubt as to the scope of the Bill, but only as to the technical language in which the clause should be framed.

Mr. CRAUFURD said, that inasmuch as no opportunity would be given to Members to speak more than once on bringing up the Report, it would be impossible that any discussion of the words proposed could take place. The fact was that hon. Gentlemen were both ashamed and afraid to take the honest course, and say they wanted to make game property, because they knew there would be an immediate outcry. If game were made property, all the incidents of property, including the law of larceny, would attach to it, and there would be no necessity to go on defining words step by step. He believed, that if they went on introducing words which had not received judicial definition, the judges would declare it to be unworkable, and it would remain on the statute-book mere *brutum fulmen*. He was so strongly convinced of the impropriety of leaving words to be inserted on the Report that he should renew his Motion to report progress.

Sir GEORGE GREY said, that the words proposed by his hon. and learned Friend (Mr. Ayrton) would limit beneficially the operation of the clause, and seemed to be generally acceptable to the Committee. He therefore saw no reason why the discussion should be adjourned. The precise words might be considered and proposed by the hon. Baronet on the bringing up of the Report.

Sir DAVID DUNDAS said, he considered it most important to the honour of the House that they should be cautious in the words they employed in this Act, especially when they considered that they were imposing a new duty upon policemen of a most arduous kind. They must take care, above all other things, that if a policeman was to be directed to seize a man and summarily search him, the law should be on that policeman's side. He protested against their inserting words in the clause the legal meaning of which they really did not understand.

Mr. ONSLOW thought that no additional protection was required for the preservation of game.

Mr. HENLEY said, it would be easy, after the words were brought up on the Report, for any hon. Member to move that the Bill be re-committed.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided*: — Ayes 38; Noes 160: Majority 122.

Amendment *agreed to*.

Sir GEORGE GREY, said, that the law subjected a man to action in case of trespass in pursuit of game, and to specific penalties for shooting without a licence; but in no other sense was the possession of game an offence known to the law.

Sir BALDWIN LEIGHTON suggested the substitution of the words "having in his possession any game unlawfully obtained."

Amendment *agreed to*.

Mr. Craufurd

Mr. BASS moved, after the word "game" to insert the words "or fish."

Mr. AYRTON asked, whether the proposal was a serious one. Fish was a very large phrase, extending from a sprat to a whale; and if the clause were thus amended, a man might be taken up by the police if he had only a red herring in his pocket.

Mr. BASS maintained that the words were appropriate to the Bill. The House had devoted a large portion of its time to measures having for their object the protection of fish, and these words would help to carry out that object. The streams in his neighbourhood were poached in just the same way as the game preserves; and if a man were met with wet nets and a ton of fish in his possession, there was now no remedy against him. As the feeling of the House, however, was against the Amendment, he would withdraw it.

Amendment, by leave, *withdrawn*.

Mr. Alderman SIDNEY objected to the power which was given to a policeman to stop a man because he had a gun in his possession, and moved to leave out the words "gun, part of gun."

Amendment proposed, in line 15, to leave out the words "gun, part of gun, or."

Sir BALDWIN LEIGHTON reminded the Committee that there must be a reasonable suspicion in the policeman's mind that the gun was being carried for the purpose of poaching.

Sir FRANCIS GOLDSMID suggested that a Volunteer coming home from drill might be brought under the clause.

Sir BALDWIN LEIGHTON said, he certainly would if he had been engaged in poaching. He thought that no danger would arise from giving this power to the police.

Sir DAVID DUNDAS thought it a very dangerous power to give to a policeman to seize any person carrying a gun.

Mr. HENLEY said, that in consequence of the alterations that had been made this clause would work very differently from what was intended in the first instance. According to the clause as it stood, any man passing along the road with a gun on his shoulder was liable to have it taken from him, because the policeman might suspect that it had been, or was going to be (there was no limitation as to time), used for poaching; and now that the operation of the Bill was to be extended to the day-time, it became a sort of Arms Act. As the hon. Baronet had assented to the extension of the operation of the Bill to the day-time, he was bound to keep its other provisions within some reasonable limit.

Mr. AYRTON thought it ought to be understood that the police should have no power to search, except such persons as they had reason to believe had been engaged in poaching.

Sir GEORGE GREY suggested that this would be made clear by the repetition of the words "coming from lands where he has been in search of game." The whole ought to be governed by the suspicion of having been engaged in the act of poaching. Without some such security the proposition would be beyond all reason.

Mr. W. E. FORSTER thought it was useless to say that there was no fear that the police, acting under the control of the justices — among whom there was, undoubtedly, a great feeling in favour of the preservation of game — would never use their powers in an improper manner. This feeling was one of the causes which lay at the root of the opposition to the Bill. He strongly objected to the words which it was proposed to leave out, for it was carrying the principle of searching for property to searching for instruments for attacking that property.

Mr. Alderman SIDNEY said, his objection to the words was that to give policemen the power of taking away men's guns was nothing less than offering a premium on murder. In the constituency which he represented (Stafford) he knew of several men — capital electioneerers, but determined poachers—who might be persuaded to give up the dead game, but never would give up their arms without a struggle. On behalf, therefore, of the public, as well as in the interest of the constabulary, he objected to such a power being included in the Bill, which he must say was a suspicious measure, and distasteful to a large portion of the House.

Sir BALDWIN LEIGHTON said, the best answer he could give the hon. Member was to refer him to the report of the chief of the Staffordshire constabulary, who stated that, with two exceptions, no resistance had been offered to the police by the persons whom they had searched on the road for implements of poaching.

Sir GEORGE GREY said, that as the hon. Baronet had alluded to this report, he wished to state what had taken place. A distinguished County Court Judge—Sir Walter Riddell—had written to him officially some time ago, stating that several actions had been brought before him in the county court against policemen for searching men on the high road. He said it was painful to him to have repeatedly to explain to the police that they were committing an illegal act; but it appeared that a mutual assurance society had been formed, and that they still continued to violate the law. He had forwarded this communication to the chief of the Staffordshire constabulary, who, without entering into any explanation, had informed him that he had given orders to discontinue the practice.

Question put, "That those words stand part of the Clause."

The Committee *divided :* — Ayes 121; Noes 51 : Majority 70.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

House adjourned at three minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 24, 1862.

Minutes.]—Public Bills.—1ª Highland Roads and Bridges; Militia Ballots Suspension; Lunatics Law Amendment.

2ª Parochial Assessments; Confirmation of Sales, &c.; Savings Banks (Ireland); Turnpike Acts Continuance; Copyhold, &c. Commission; Weights and Measures (Ireland) Act (1860) Amendment; Public Offices Extension; County Surveyors (Ireland); Divorce Court.

3ª Coal Mines; Police and Improvement (Scotland); Parochial Buildings (Scotland).

THE JOURNALS OF THE HOUSE.

Lord REDESDALE said, he wished in justice to the Officers of that House to call their Lordships' attention to certain statements which had been made with regard to the manner in which the Journals of that House were kept, and to certain imputations which had been cast upon the Officers of the House in a Report of a Committee of the other House of Parliament on Parliamentary Proceedings, in which it was stated that the Lords' Journals were generally a year and a half or two years in arrear, and therefore, whenever the Commons wished to search them, there were no Journals to search, but an entry was prepared to satisfy the requirements of the House of Commons; whereas the Journals of their own (the Commons') House were always entered up and printed to the current time. That evidence had been given by the Clerk Assistant of the House of Commons. He thought it but justice to the Officers of their Lordships' House to state the manner in which this portion of their duties was carried on. The Minutes of Proceedings of each day, and all documents presented, were sent up to the Journal Office, where they were developed by the Journal Clerks, so as to state, in a formal manner, what the House had done. This development of the Minutes into the form of the Journal was made ordinarily within a week, sometimes within a day or two, except as regarded the Judgments on Appeals, which, though entered as of the day, were often not finally settled for a considerable time. When developed, as before mentioned, they were at once sent to the printer, and the proofs were returned as soon as printed, and filed in the Journal Office within three or four weeks, or less, of the day to which they related. If within that period an inspection was desired, it was the practice to make out a fresh original entry for that purpose. The state of the case at present was this:—The revised proofs up to the 30th of May this year were printed, and he believed he might also say the proof sheets of the Proceedings up to the 11th of July and the manuscripts up to the 21st of July were nearly completed. Therefore everything was absolutely printed and revised up to the 30th of May, and most of the remaining records were not a fortnight behind-hand. There was one class of Proceedings with regard to which there was some delay—namely, the judgments on appeals; but such delay was incident to these records in consequence of the great care requisite in their preparation, and it sometimes occurred that the form in which some particular point of the judgment should be entered, especially as respected costs (the bills for which must be taxed and their amount set forth), were strongly contested. No such occasion for delay could occur in the preparation of the Commons' Journals. At the commencement of every Session there were always two copies of the Journals in the library for the use of any Members that might require them; but after that there was an interval which varied from a month or two before the Proceedings were ready for publication. With regard to the statement, that when the other House sent to search the Journals, they only found entries prepared for the purpose, and that there were no Journals to search, the facts were that during the last ten years only twelve searches were made by the Committees: three of them took place on the day of the transactions which gave rise to the search, four on the next day, and two on the day after that, there being an intervening Sunday, and one on the fourth day. It was not surprising, then, that under such circumstances the Journals containing those particular entries were not in print. He regretted extremely that this statement of the case had not been given before the Committee of the House of Commons. He was sure, however, their Lordships would feel that it was but due to the Officers of that House, who were most diligent, painstaking, and accurate, that he should make that statement.

EARL GRANVILLE asked, to whose evidence the noble Lord referred.

LORD REDESDALE said, Mr. May's, than whom no person was better acquainted with the proceedings of Parliament.

PAROCHIAL ASSESSMENTS BILL.

[BILL NO. 203.] SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF NEWCASTLE, in moving the second reading of this Bill, said, that its object was to secure the uniform and correct valuation of property rateable to parochial assessments in parishes in the unions of England. In 1850 a Select Committee of their Lordships' House was appointed, which took evidence and made a report on this subject. A Bill was introduced shortly afterwards to carry out the recommendations of the Committee; but as the machinery was not acceptable, the measure was dropped, and the subject was not revived for many years. The difference, however, between the real value and the rateable value of property in many parishes was so great—amounting to as much as twenty, thirty, and even fifty per cent — that a more equitable assessment was greatly to be desired. Mr. Poulett Scrope's Bill was to a certain extent a remedy for this inequality; but the overseers of parishes had, in many cases through carelessness, and sometimes from a worse motive, made untrue returns; and so long as the overseers made the statutory declarations required under that Act, the magistrates were bound to give effect to those declarations. The result, of course, was to inflict injustice upon the majority of ratepayers, and the only remedy being the expensive process of an appeal, that remedy was very seldom resorted to. Recent legislation had, however, rendered absolutely necessary that which was before desirable. Certain establishment charges and expenses of the irremovable poor were last year removed from the parishes and thrown upon the unions. Some uniform rating of the parishes composing the unions was therefore generally demanded, and the more so because one-third of the unions of England contained parishes in two different counties, in which a distinct mode of assessment usually prevailed. It was proposed that the board of guardians of the union should select from their body a committee to be called an assessment committee, consisting of not less than six and not more than twelve guardians, one-third of whom should be *ex officio*. It was by no means intended to introduce the principle of union rating in this Bill; the assessments would be simply parochial, and a right of appeal was given not only to individual ratepayers of the parish, but to the parishes of the same union if the overseers of such other parish should think the valuation unjust. The Bill, which resulted from the recommendations of a Parliamentary Committee, after having been framed, had been sent down to every union in the country, and had met with the general approval of boards of guardians. As their Lordships would have an opportunity of expressing their opinions on the details of the measure in Committee, he would only now ask them to give the Bill a second reading.

Moved, that the Bill be now read 2ª.

Lord PORTMAN said, that having been a member of the Select Committee which inquired into this subject in 1850, he could bear his testimony to the necessity of a more equitable and uniform system of parochial assessment. He believed this measure would effect a great improvement on that head; but he felt bound to state to their Lordships, that unless an Amendment were made in Committee to the 15th clause, which altered the whole system of rating throughout the country, and had, by an Amendment in the Commons, varied the intention of the promoters of the Bill, he should think their Lordships would find it advisable to pause before they passed this Bill this Session.

The Marquess of BATH ventured to differ both from the noble Duke and the noble Lord who had just spoken. He doubted whether the alteration would effect all the harm the noble Lord imagined; and so far from the Bill being a valuable measure he doubted whether the very limited object sought to be obtained would prove at all commensurate with the trouble and expense of working. So far also from boards of guardians being in favour of the Bill, he believed the majority were against it.

Lord REDESDALE thought the measure would require a great deal more consideration than it had yet received. He did not think the guardians would be very likely to take much trouble in revising the assessments of their several unions. They would be much more likely to come to some general arrangement, by saying—"If you give your vote in favour of letting us settle our rates in our parish in our own way, we will give you ours to permit you to do the same." The machinery of the Bill was most complicated, and the delay it would occasion in making and levying the rates would be extremely great. He believed, if this Bill were adopted, there would be at least three months' delay between the making of the rate and levying it; and if there were any alteration or amendment, or any objection raised to it, the delay would be greatly increased. As a present rule, the repairs of houses were mostly done by the landlord, and it was too often the case that they were rated on the whole rental, instead of the net. He thought the best course would be to refer the Bill to a Select Committee, because he was quite convinced that it would require a great deal more consideration than their Lordships would be disposed to give it at this advanced period of the Session. In its present shape it created considerable apprehension throughout the country.

Lord EGERTON of TATTON considered that it would be of the greatest possible advantage to establish a fair system of union rating, but he did not believe that the machinery of the present measure would be at all practicable in order to carry out that object. He therefore suggested that the Bill should be withdrawn (it being the first step towards union rating), and that a sound measure should be introduced next Session at a sufficiently early period to ensure its full consideration.

The Duke of NEWCASTLE in reply said, the House ought not to regard this measure as a hasty piece of legislation, seeing that the subject had engaged the attention of Parliament for the last twenty years. Those who objected to the proposal as the first step towards union rating forgot that the first step was taken last year, and that this Bill was merely introduced to remedy defects in the working of the former measure. Instead of exciting those apprehensions of which the noble Lord had spoken, the answers received from those boards of guardians which had replied to the circular sent out by the Department, were, he believed, without exception, favourable to the Bill. In regard to the objections which had been taken to the 15th clause some slight misapprehension existed. The clause in its present shape was not originally included in the Bill; but was introduced on the Motion of the hon. Member for Norfolk (Mr. G. Bentinck) under the impression that some difficulty and uncertainty would be thereby removed. The Government assented to the clause, believing that it did not alter the law, but only settled that which was unsettled before. Doubts, however, had since been raised, and apprehensions expressed with regard to its probable operation. The Government, therefore, would be willing to omit the clause; but, as this was a privilege Bill, they feared that the omission of the clause might imperil the passing of the measure. The following proviso had been submitted to those who objected to this clause, and had met with their approval:—

> "Provided that nothing herein contained shall repeal or interfere with the Provisions contained in the 1st section of the said Act, 6 & 7 *Will.* IV. c. 96, defining the net annual value."

He himself thought that it would be better to omit the clause; but that, it appeared, would be considered a breach of the privileges of the House of Commons. That objection seemed to him to be rather a straining of the privileges of the other House. It was, at all events, a serious inconvenience, and he thought it would be desirable if possible to obtain from the House of Commons at the commencement of another Session, by some friendly communication, a more accurate definition of what they considered to be their privileges in this respect, in order that it might be more clearly defined what were the obstacles to legislation in that House.

The Earl of ROMNEY said, he did not attach the same importance as the noble Duke opposite appeared to do to the opinion of the Poor Law guardians, because they acquired additional power and importance under the Bill. If the views of the churchwardens and overseers had been asked, it was very likely that a different opinion would have been elicited. He did not intend to oppose the Bill, but considered that the best course for the Government to adopt would be to defer legislation on the subject till next Session.

Motion *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

NEW ZEALAND BILL—[Bill No. 209.]

Commons' Amendments *considered* (according to Order), and *agreed to.*

COAL MINES BILL—[Bill No. 144.]

THIRD READING.

Bill read 3^a (according to Order.)

Earl DE GREY and RIPON proposed to insert an Amendment—

> "No person shall be precluded by any Agreement made before the passing of this Act from doing such Acts as may be necessary for providing an additional Shaft or Outlet to a Mine where the same is required by this Act, or be liable under any Agreement to any Penalty or Forfeiture for doing such Acts as may be necessary in order to comply with the Provisions of this Act."

Lord RAVENSWORTH called attention to the circumstance, that although this measure would impose some restraints upon the working of coal mines, it had received no opposition from coal owners, and expressed a hope that in the working of the Bill every indulgence would be shown to those whose peculiar position might render it necessary.

Earl DE GREY and RIPON admitted that nothing but a strong case of necessity could justify the passing of such a Bill as this, and said that he had no doubt that his right hon. Friend the Secretary of State would, in the administration of the law, show the indulgence which was due to the coal owners for the manner in which they had received this Bill.

Amendment *agreed to.*

Bill *passed,* and sent to the Commons.

METROPOLIS LOCAL MANAGEMENT ACTS AMENDMENT BILL.

[BILL NO. 219.] COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4 *agreed to.*

Clause 5 (Sums to be assessed by Metropolitan Board).

Lord RAVENSWORTH complained of the undue charges which had been imposed on certain parishes. Chiswick, for instance, had been charged to the amount of £5,300, although scarcely £400 worth of works had been executed in that parish. The promoters of this Bill acknowledged the hardship of the case of the aggrieved parishes, and proposed to pass another Bill *pari passu,* and distinguished as "No. 2 Bill," with it, to effect a remedy. The complainants were induced to remain quiet; but at a certain stage the remedial Bill was withdrawn, in deference, it was said, to the temper of the House of Commons. He imagined that the phrase meant that metropolitan Members, and Members interested in this Bill, remained until a late hour, and were enabled by a little clamour to overbear any opposition to the course which they deemed fit to pursue. Under the circumstances his suspicions were aroused, and he was not induced to view with favour the single Bill now before their Lordships. The great grievance complained of by the taxpayers was not only that they were taxed heavily, but that they were taxed without their consent, and without receiving any benefit. In the Select Committee he proposed a clause to protect these parishes, and it was lost by the casting vote of the Chairman, simply, he believed, because the convenience of passing the Bill was thought to outweigh the admitted hardship of the case of these parishes. He should now renew the attempt to remedy the grievance by moving the addition of words at the end of this clause, to this effect—

> "Except such precepts as may be issued to the parishes and parts of the Fulham and Hammersmith district, which precepts shall be amended and part and parish charged according to the actual benefit derived from works constructed therein."

Lord EGERTON of TATTON admitted the hardship of the case of these parishes, but advised that the proviso should not be inserted lest a greater hardship should be inflicted upon other parties.

Earl GRANVILLE also objected to the Amendment.

Amendment *negatived.*

Clauses to 109 *agreed to.*

Clause 110 *struck out.*

Remaining Clauses *agreed to.*

Further Amendments made: The Report thereof to be received *To-morrow.* [No. 227.]

DIVORCE COURT BILL—[Bill No. 193.]

SECOND READING.

Order for Second Reading read.

The LORD CHANCELLOR *moved,* that the Bill be now read the second time.

The Earl of DERBY said, that before their Lordships assented to the second reading of this Bill, he would present to them a Petition which he had received that day, signed by 296 inhabitants of Norwich, praying their Lordships to reject the Bill altogether. The parties stated that they only received notice of the Bill on Saturday last, and observed that it was being hurried very rapidly through the House. The present Act expired on the 31st of this month; and whilst he could not support the prayer of the Petition, because he did not think it desirable that the Court should suddenly cease to exist, he yet thought it would not be unreasonable that rather more time than something less than a fortnight should be afforded to their Lordships for considering the propriety of prolonging the Court or making it permanent. It certainly did appear, as the result of experience, that the Bill had failed to fulfil all the objects which its promoters had in view. Its effect certainly had not been greatly to diminish the scandal arising from the publication of very many indelicate and some indecent cases. Indeed, for one such case previous to the passing of the Act there were now at least twenty which were just as freely published in the newspapers. He was not expressing any opinion as to the necessity or expediency of continuing the Divorce Court as it stood; but, before an Act of such a doubtful description was made permanent, he would suggest to the noble and learned Lord opposite whether it would not be better to pass a short continuance Act of two or three years' duration, and to allow a general inquiry into the working of the measure, which was very much needed, to take place. He did not propose to offer any objection to the second reading, but hoped the Government would consider the suggestion he had made.

THE LORD CHANCELLOR said, that it would be remembered that two years after the Divorce Court Act was passed an amending Bill was introduced which contained a clause enabling the Queen's Proctor to intervene in cases brought before the Court, in order to prevent collusion between parties who sought to be released from their marriage vows. An Amendment was inserted in the clause by the House of Commons limiting the power of the Queen's Proctor to intervene to two years, in order to see how the proviso would work, and the object of the present measure was not to make the Divorce Act perpetual, but to continue the power of the Queen's Proctor to intervene, which expired on the 31st of July, so long as the Act remained in force.

LORD REDESDALE had no objection to the present Bill, but should have expressed himself strongly against any Bill the object of which was to perpetuate the present Divorce Court, because he was sorry to say that his worst apprehensions as to the effect of the Divorce Act itself, and the temptations it offered for the breaking of marriage ties had been realized

THE EARL OF DERBY said, that the explanation of the noble and learned Lord on the Woolsack would remove the apprehensions which existed as to any design to perpetuate the Divorce Court itself; and as the Bill in reality was to continue a provision which in effect limited the operation of the Divorce Act to some extent by preventing collusion, he should offer no objection to it.

Motion *agreed to.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at a quarter before Eight o'clock, till To-morrow, half-past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, July 24, 1862.

MINUTES.]—PUBLIC BILLS.—1° Burial Boards (Mortgage of Rates); Council of Medical Education.

2° Union Relief Aid; Bankruptcy Act (1861) Amendment; Gunpowder Act Amendment; Consolidated Fund (Appropriation).

3° Poor Removal; Mutual Surrender of Criminals (Denmark); Polling Places (New Shoreham, &c.).

The Earl of Derby

MILITARY RESERVE FUND.

QUESTION.

GENERAL PEEL said, he rose to ask the Secretary of State for War, What decision the Government have arrived at with regard to the Military Reserve Fund?

SIR GEORGE LEWIS said, the decision which had, with the concurrence of the Commander-in-Chief been arrived at, was that in future Officers retiring from the Army should not as a matter of right be entitled to the £100 for each year's active service which, in accordance with the present practice, they received; but that each individual case should be considered on its merits, the services of an Officer and the circumstances under which he left the Army being taken into account. If, for example, he should have left owing to ill health contracted during active service, there would in that event be a discretionary power of granting the £100 for each year. It was also intended that first commissions should be granted as far as possible to non-purchase regiments.

METROPOLITAN TURNPIKES.

QUESTION.

MR. WHITE said, he would beg to ask the Secretary of State for the Home Department, What progress has been made towards effecting the abolition of Metropolitan Turnpikes?

SIR GEORGE GREY said, a Bill was in course of preparation on the subject, which it was hoped would be ready to be submitted to Parliament early next Session.

EDUCATIONAL DISTRICTS.—QUESTION.

VISCOUNT ENFIELD said, he wished to ask the Vice President of the Committee of Council on Education, Whether he will consider the advisability of making the districts connected with the Committee of Council on Education smaller; and whether there is any intention of promoting the Masters in these schools to the post of Examiners?

MR. LOWE said, that both the points referred to by the noble Lord were under consideration, but he was as yet unable to give any definite answer with respect to them.

CORPS OF GENTLEMEN-AT-ARMS.

QUESTION.

Sir DE LACY EVANS said, he wished to ask the Secretary of State for War, On what principle it is that gentlemen who have purchased appointments in the Corps of Gentlemen-at-Arms are to be compensated for the price of their appointments out of what is termed the Reserved Fund, a fund created altogether by contributions from the Officers of the regular Army; and what are the intentions of the Government as to the continuance or rectifications in respect to that fund?

Sir GEORGE LEWIS said, that the present arrangement was made by his predecessor in office, the reason for it being, he believed, that it was thought desirable that the corps in question should cease to be a purchase corps. The intention was that commissions should be given to meritorious Officers as a reward for their services. In answer to the second question, he might state that each case would in future be dealt with on its merits.

MAYNOOTH COLLEGE.—QUESTION.

Mr. WHALLEY said, he wished to ask the Chief Secretary for Ireland, Whether he is prepared to give effect to the recommendation contained in the Report of the Commissioners appointed in the year 1853 to inquire into the management and government of the College of Maynooth, that "a Calendar be annually published by the College, stating the names of the several students who have left the College after the completion of the course, and their respective destinations; its alumni at the time alive, and the places in which they are severally performing their functions?"

Sir ROBERT PEEL said, he saw no reason why the recommendations of the Commission with respect to the publication of the Calendar should not be adopted. With the co-operation of the Roman Catholic Bishops there would be no difficulty in providing the materials for such a publication; but it was quite evident he could have no authority with them on the subject.

COMMERCIAL TREATIES WITH BELGIUM AND ITALY.—QUESTION.

Mr. W. E. FORSTER said, he rose to ask the Under Secretary of State for Foreign Affairs, If he can inform the House whether the Government has succeeded in negotiating a Commercial Treaty with Belgium; and if so, on what terms; also, whether any steps have been taken towards negotiating a Commercial Treaty with Italy?

Mr. LAYARD: Sir, I am happy to inform the hon. Gentleman that the Treaty with Belgium was signed yesterday. The Treaty is not ratified, and, of course, I am unable to lay it on the table of the House until it is ratified. With respect to the latter question, we expect shortly to enter into negotiations at Turin.

"HOUSE TELEGRAPH."—QUESTION.

Mr. CRAUFURD said, he would beg to ask Mr. Chancellor of the Exchequer, Why the *House Telegraph*, published in the Lobby several times in the course of the evening, being a newspaper, is not compelled to register and to enter into recognizances in accordance with the Act 6 & 7 *Will.* IV., c. 76, and the Act 60 *Geo.* III., c. 9?

Mr. PEEL said, the publication in question came, he supposed, within the definition of a newspaper given in the Act of Parliament. But whether a jury, who would have to decide in part, would be likely to come to the conclusion that it ought to be looked upon in that light, he was unable to say.

THE NEW FOREIGN OFFICE.

QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to inquire what steps the Government have taken or intend to take with respect to the purchase of the houses in the immediate vicinity of the new Foreign Office. He put the question because several of the owners of those houses were, he believed, making extensive improvements, with a view of obtaining a higher price for them next year?

Mr. COWPER in reply said, that the Government had already purchased the amount of ground which they deemed to be required for the building of public offices. It was bounded on the north by Downing Street, on the east by King Street, on the south by Charles Street, and on the west by St. James's Park. That site was larger than the present wants of the Government demanded, and many years were, he thought, likely to elapse before they would avail themselves of the whole of it. With respect to the houses which lay between King Street and Parliament Street, he was of opinion that it would be very desirable that they should be purchased, not with the view of using them as building ground, but for the purpose of widening Parliament Street. No steps had been taken towards the accomplishment of that object since the abandonment of Lord Llanover's project, nor were there at present any funds available for the purchase, so that the Government could not proceed in the matter.

ROMAN CATHOLIC PROCESSIONS IN IRELAND.—QUESTION.

CAPTAIN ARCHDALL said, he wished to draw the attention of the Chief Secretary for Ireland to the fact that a large procession of Roman Catholics, including bishops and clergymen of that persuasion, had marched through Dublin on Sunday last with banners, sashes, and cockades; and he would beg to ask, Whether the law had been or would be put in force to prevent such demonstrations, as had been done in a case in which Orange flags had been displayed in Antrim, or whether the Party Emblems Acts was to be carried into effect only in reference to one class of Her Majesty's subjects?

SIR ROBERT PEEL said, the Government would not, of course, make the slightest distinction in the enforcement of the law between one party and another in Ireland. In the case of the procession in Dublin, there had, he understood, been no violation of the law, nor were party emblems, he believed, worn on the occasion.

GRANTS IN SUPPLY.—QUESTION.

In answer to Mr. THOMSON HANKEY,

MR. PEEL said, that the sum total of the Grants made in Supply this year, inclusive of the Supplemental Votes for 1861-2—the Deficiency Votes for 1862-3 amounted to £43,401,639.

UNION RELIEF AID BILL—[BILL No. 224.]

SECOND READING.

Order for Second Reading read.

MR. POTTER remarked, that as the Bill was confessedly of an exceptional character, he was desirous of drawing the attention of the House to a few startling facts connected with the existing distress in the manufacturing districts, in order that hon. Members might be fully acquainted with the real state of the crisis with which it was proposed to deal. The number of hands employed in trades coming under the Cotton Factory Act, in Great Britain, was 451,000. Of these 315,000 were employed in Lancashire, 27,800 in Yorkshire, 40,000 in Cheshire, 12,965 in Derbyshire, 3,281 in Cumberland, 41,000 in Scotland; in Ireland 2,744. The entire population in the cotton districts in Lancashire might be taken at 2,000,000. There were 315,000 workers in those districts; in the Cheshire district the population was 200,000, the workers 40,860; in Derbyshire there was a population of 60,000, with 12,965 workers. He had not similar numbers for either Yorkshire or Cumberland. Taking the wages of these 450,000 workers at 10*s*. 6*d*. a week, it would give a total amount of £250,000 paid as weekly wages last year. There were now 80,000 totally unemployed, showing a loss of weekly wages to the extent of £42,000. 370,000 were only half employed, and the loss of their wages might be taken at £97,125; or, in all, a total loss in weekly wages of £139,000. The total sum paid in weekly wages might be taken at £110,000 as against £250,000 at that time in the last year. The average of weekly wages per head in the previous year was 10*s*. 6*d*.; now it was only 4*s*. 10*d*. for those in work. There were 200,000 persons connected with the cotton trade to be supported. But in addition there were persons usually employed in other trades, such as bleaching, dyeing, and others, dependent on the cotton trade, who might be estimated at about one-third more, or another 100,000. The entire number of cotton mills was 2,715 in England, 153 in Scotland, and 9 in Ireland; total 2,887. The average number of workers in each cotton mill was 156; but, inasmuch as some of the mills employed thousands of hands, the average number of workers in the remainder must be very small indeed. It would thus be seen that the masters were not so wealthy a class as was supposed. He would now state the case of his own parish—one of the best ordered, and hitherto one of the most prosperous, districts in the trade. The population of that union—Glossop—was 21,198. There were 23 mills, with 8,000 workers. In 1861 the wages amounted to £4,800 a week, or an average of 12*s*. per head. The wages at present were £1,200 a week, showing a loss of £3,600. It might be said that those 8,000 workers had at least 8,000 more depending upon them, making a total of 16,000 persons. Last year the average means of existence for these 16,000 amounted to 6*s*. per week per head; they were now 1*s*. 6*d*. The rateable property of the parish was £50,000 per annum, and hitherto the poor rates had not exceeded 2*s*. in the pound. Looking at the class of the population, any considerable increase of the rates would be very serious. Of the 8,000 hands no fewer than 6,800 were employed in three mills, so that the other factories were obviously very small, and from them the great pressure would come. What he had just stated might be taken as a sample of the state of the operative classes in all the cotton districts. He regretted that the Government had not sooner grappled with the question. They ought long ago to have sent out commissioners to make inquiries in the manufacturing districts, and to have proposed some exceptional measure beyond the present to meet the emergency. No alteration of the Poor Law would serve the purpose, and he had no hesitation in saying that in his own parish a rate of 20*s*. in the pound would be insufficient during the next six months, while it would fall very heavily upon the landowners and upon the few manufacturers who were keeping their mills open short time, solely for the purpose of giving some employment to their hands. It was the duty of the Government to do all they could to prevent 300,000 of the best artisans in Great Britain from sinking into pauperism. On more than one occasion they had suspended the Bank Charter Act for the benefit of the capitalist class, and he thought they could not do less than propose an ample grant for the support of the destitute operatives of Lancashire. He believed that to do so would require £100,000 a month for the next six or seven months; and he would in conclusion most earnestly urge upon the Government a fuller consideration of the whole question.

Colonel WILSON PATTEN said, so very short a time had elapsed since the introduction of the Bill that there had been no opportunity of giving it any great consideration, much less of consulting the constituencies in the north as to their opinions and wishes respecting it. He did not rise, therefore, to discuss the merits of the Bill, but he hoped that in Committee he would be able to show good grounds for any alterations which he might venture to propose. The first impression made upon him by the Bill was not altogether favourable. The circumstances under which the Bill was brought before them were those of great pressure in the cotton districts, arising from the horrid civil war in America, which might or might not come to an end soon. The pressure differed from an ordinary pressure in this respect, that it might soon cease, or it might take another turn, and come upon them with an intensity of which there was no example. Parliament was about to separate, and those who were connected with the distressed districts were anxious that provision should be made, not for the immediate pressure, because they were altogether prepared for the present pressure if it went no further. They had that on the authority of a most intelligent gentleman connected with the Poor Law Department, who had given universal satisfaction in every part of the cotton manufacturing districts where he had gone. That gentleman reported that in all parts of the district he had visited he found a determination on the part of those charged with the administration of the Poor Law to do their duty, and they had expressed to him not only their readiness to meet the present pressure, but their conviction that it could be sustained under the present law. They wanted a Bill, therefore, not for the immediate pressure, but to meet an emergency which he dreaded, but which he hoped in God would not be realized. Although he intended to support the Government, yet he agreed with the right hon. Gentleman the Member for Kilmarnock, that it was a most dangerous thing, under a great emergency, to interfere with the laws established for the relief of the poor. The first impression that was made on his mind was, that the Bill would fail in that particular. It was founded upon so very small an alteration of the present Poor Law that its operation would not be reserved for an emergency, but be brought into requisition whenever Her Majes y ratified it. In some of the districts the emergency contemplated by the Bill had already arisen; and his right hon. Friend, in proposing an alteration of the Poor Law, was going in opposition to the opinion of his own Commissioner, who said no such alteration was required. The Bill was also liable to this objection—that if an emergency should arise, the whole weight would fall on the occupying tenant rather than on property. The manufacturing districts differed materially from the agricultural districts in that particular. The average rates of different counties in England being much higher than in the manufacturing districts, surprise was expressed when the rates in the latter only equalled the former that extraordinary relief should be required. But when a person took a house or farm in the agricultural districts, the rate of 4*s.* or 5*s.* in the pound was calculated when he undertook the tenancy, so that it really fell upon the proprietor, and not upon the occupier. In the manufacturing districts, however, the usual rate being 1*s.* 6*d.* in the pound, when a pressure came the difference between the ordinary and extraordinary rate fell on the occupier. The Bill would rather continue the pressure in the same direction. There were two principles upon which they could meet the present emergency. The one was that which he had sketched on a former evening, and the more he considered it, the more did he believe it to be the most direct and efficacious remedy—to fix the point from which they should start on a higher basis, thus making the measure much more exceptional, for the present Bill was scarcely exceptional at all; and, when the proper level was reached, giving the ratepapers of the different unions a mode of obtaining the speediest and most effectual relief by means of a loan on the security of the rates. He had referred to one difference which existed between the manufacturing and agricultural districts. There was another difference—that a very large proportion of the rates in Lancashire was payable by parties who were very little above the line of demarcation between the ratepayers and the rate-receivers. That large class of ratepayers was, perhaps, even more seriously affected at the present moment than the rate-receivers themselves. They had suddenly and unexpectedly had their whole resources taken away from them. They depended on the custom of the operatives in the neighbourhood in which they lived; and that being taken away, they were not only deprived of their usual means of existence, but they were also called on to pay increased rates without any other means. There was another class of ratepayers, equally important, that would be greatly relieved by a loan—he meant the occupiers of the mills. An hon. Member had expressed great sympathy for the rate-receivers, but he said he had no such sympathy for the rich ratepayers of the rich county of Lancaster, who were able to meet any demands which might be made upon them. There never was a greater mistake. In all large commercial counties the manufacturing concerns were carried on by means of borrowed capital. Many of the persons had risen by their own exertions, and by means of their own hard sense, and their chief assistance was received from banks and other sources. He had been told upon good authority that about two-thirds of the mills that had been recently built in Lancashire were worked with borrowed capital. Well, the pressure came upon them, and what was the consequence? They were obliged either to turn out their hands, or work a fewer number of days, while those who had lent the money on which they were trading were not to be kept off, and they had still to contribute to the rates on an assessment of £10,000, £15,000, or £20,000 on the mills. The increase in the rates came upon these parties like a double blow, at a time when they were wholly unable to meet it. Many of these mills, if the pressure continued, would be reduced to a state that the House would much lament to see. A loan of money on the security of the rates would, he thought, effectually meet the emergency in such cases. It was almost certain that the war now raging in America could not continue any great length of time; and when it did cease, prosperity would return almost as suddenly as it had left us. "[No, no!"] At all events, a great deal sooner than when the pressure arose from ordinary commercial depression. In the mean time the great object was immediate relief, and that, he repeated, could better be had from a loan on the rates than by the mode propounded in the Bill. He would therefore venture to suggest to his right hon. Friend that he should well consider the subject before the Bill went into Committee, and that he should be prepared, at all events, to alter the point from which the Bill proposed to start. After the statement of the noble Lord at the head of the Government that they would listen attentively and considerately to any recommendations that might be made, he felt bound to say that the emergency which appeared to be coming on us was quite equal to what had been stated by his right hon. Friend (Mr. Villiers); he believed it did require the greatest foresight and energy to prevent a state of things which would be truly deplorable; and he was prepared to support Her Majesty's Government in any measure which they, on their responsibility, thought most likely to meet that emergency.

MR. J. B. SMITH said, that if the understanding was that the second reading should be assented to, and the discussion upon the Bill deferred till another stage, he would not then trouble the House with any remarks.

LORD STANLEY said, he took it for granted that there was no intention in any quarter to oppose the second reading of the Bill. It had been introduced only about forty-eight hours previously, and it was quite obvious, therefore, that they had not had an opportunity of consulting with those whose interests were principally and primarily affected—the people of Lancashire themselves. There was another reason why they could more conveniently consider the Bill in Committee. The points on which it was probable that any difference of opinion would arise were, he thought, altogether questions of detail; and he assumed, therefore, that if they then allowed the measure to be read the second time, they would go into Committee pledged to nothing but the general principle of acceding to a rate in aid. Whatever objections might be taken to a rate in aid, and no doubt there were many such objections, both theoretical and practical, still he supposed they all felt that the present state of the manufacturing districts was so exceptional that they could not hesitate for a moment to apply an exceptional arrangement to it. His chief objection to the Bill, like that stated against it by his hon. and gallant Friend (Colonel W. Patten), related, not to what was in the measure, but to what was not in it. He thought it unfortunate that it contained no provision to enable parishes or unions to do that which he believed in many instances they would be willing and able to do—namely, when their immediate resources were exhausted, to draw upon their own future resources, instead of throwing themselves upon the help and charity of others. He knew of only two objections that could be made to giving parishes or unions the power of borrowing. The one was that the power might be prematurely exercised—that they might borrow before they had sufficiently drawn upon their present resources, and that the money so raised might be recklessly and lavishly expended. The Poor Law Board, however, would have the remedy for that in its own hands, because nothing could be easier than to provide in the case of the borrowing power, as in the case of the rate in aid, that it should not come into operation until the rates had reached a certain amount. The second objection was, that if they gave a parish a power of obtaining assistance from the neighbouring parishes, then the borrowing power would be useless, because the parish would prefer coming upon its neighbours to mortgaging its own future resources. Now, for his own part, he believed the parishes of Lancashire would much rather run into debt, with the certainty of paying it off in a few years, than go to their neighbours for assistance. But that objection, whatever its value might be, might easily be met by combining a borrowing power and a rate in aid in one Bill, in this way—they might enact that the borrowing power should not come into operation till the rates had reached a certain sum in the pound, and then they might enact that the rate in aid should not come into operation till the borrowing power had also been exercised to a certain extent; subject always to this qualification—that if from some unforeseen or exceptional circumstance a particular parish was not able to avail itself of the borrowing power, then the Poor Law Board should be authorized to dispense with that condition. As to mortgaging the resources of the parishes, he did not think any apprehension need be entertained on that score. Everybody knew that the distress in Lancashire, singularly severe as it was, owed its severity in great measure to the uncertain duration of the present dearth of the raw material, because one great difficulty that was felt in obtaining a supply of cotton from other parts of the world than America arose from this, that there was no guarantee for the continuance of the present prices, and no security for the continuance of the present demand. Therefore the very fact that at any moment, even within the next three or four months, the American supply might be restored, made it more difficult to replace that supply from any other quarter. The distress was in its nature temporary, and unlikely to recur on so large a scale. There was one reason especially why he would prefer in some modified degree resorting to the plan of loans. It was this—that whether the rates were laid on the parish or union, or extended to other districts, they fell for the moment exclusively on the occupier; whereas if they had recourse to a loan—that was to say, if they spread the payment over a period of seven, ten, or fifteen years, although in form it would still fall on the occupier, it would yet fall on the owner also, because a greater time would elapse, which would give an opportunity for the relations between the owner and the occupier to re-adjust themselves with reference to this charge. That was all he wished to say at that stage of the Bill on the subject of loans. He did not exactly understand why, in the first clause, the point at which the rate in aid was to come into play was to be determined by a fluctuating and not by a fixed test. He did not see why the rate in aid should come into play when the expenditure exceeded by two-thirds the average cost of the relief of the poor for the three preceding years. He should have thought it a simpler and better plan to say it should come into play when the charge had reached a certain fixed percentage, because a fluctuating test would make the coming of the rate in aid into play to depend on what might be the accidental circumstance whether a parish had more or less prospered in previous years. That, however, would be a matter for consideration in Committee. By the plan as it stood in the Bill, the parish was in the first instance to be assisted by the union; and if the union also was pauperized to a certain extent, then the union was to be assisted by the entire county. There was great apparent fairness in that; but he believed it would be found in practice that a great many of the Lancashire unions included a large tract of country with manufacturing and agricultural districts which had little to do the one with the other. No doubt the agricultural districts ought to pay, and would be willing to pay, their full share towards the relief of the towns, as they shared in their prosperity; still an agricultural district in the vicinity of a large town might say, "We are willing to contribute for the help of the town, but we object to be made to contribute exclusively while a district in the immediate neighbourhood of us, merely because it is in a different union, is to be altogether exempt." He meant to say, that if they applied the rate in aid at all, might it not be better to extend it at once from the limit of the parish to the limit of the entire county? He suggested that point, however, rather as a matter for inquiry than as expressing a decided opinion himself upon it.

Mr. Alderman SIDNEY thought it probable that the amount of money which would be required to meet the prospective distress would be half a million sterling, and it was not creditable to the country to leave the respectable artisan population to the eleemosynary aid of private individuals. He was also of opinion that the future ratepayers ought to be protected from the present emergency, and that it would be novel and wrong in principle to allow the guardians of the poor by borrowing money to meet the pressure upon them to burden posterity. It would be disgraceful to the Legislature to admit the principle that the poor were dependent upon private benevolence. The sum of money required to tide over the emergency during the period prescribed for by the present Bill was between a quarter and half a million sterling. The county of Lancashire was assessable in a sum of not less than eight millions, and the assessment of 1*s.* 3*d.* in the pound would raise £500,000, which was the extreme calculation of what would be sufficient to carry the working classes through the emergency. There was a great anomaly in the discrepancy which existed in the rating for the different parishes in the same unions in Lancashire. In the Blackburn Union the average rate in 1856 was 1*s.* 2*d.* in the pound, but the highest parish in that union paid no less than 4*s.* 7½*d.*, whilst the lowest-rated parish paid only 4¼*d.* In the Bolton Union the highest paid 2*s.* 10½*d.*, and the lowest 6*d.* In the Burleigh Union the highest paid 3*s.* 0½*d.*, and the lowest 6*d.* In the Chorlton Union the highest paid 1*s.* 10½*d.*, and the lowest ½*d.* In the Preston Union the highest paid 3*s.* 8¾*d.*, and the lowest ¼*d.* Under these circumstances he thought that the Government should go further than they did in the present Bill, and declare the principle that the property of the county, in such an emergency as this, should be liable to pay a fair quota towards the relief of the poor in the cotton districts. He should support the second reading of the Bill, but he trusted that in Committee some of its provisions would be materially altered.

Mr. HENLEY said, his hon. and gallant Friend near him had stated truly that the present crisis had arisen from what was justly described as the horrid war in America; but they must not shut their eyes to the fact that a similar crisis might arise from a horrid war with America. The present state of things in our vast manufacturing districts showed how easily events over which we could exercise no control might plunge us from the height of prosperity into an abyss of distress, which could not be regarded without pain and dismay. But, in attempting to provide what had been called temporary plans of relief, care must be taken not to make a false step, nor to lay down false principles. He entirely agreed with his noble Friend (Lord Stanley) in thinking that assenting to the second reading of the Bill did no more than pledge them to a rate in aid in some shape. The right hon. Gentleman opposite had said truly the other night that the safest course to pursue would be to adhere as closely as possible to the principles of the law that had been in existence in this country during the last 300 years. He believed that there were great difficulties in carrying out that law, and therefore the Government had acted wisely in coming forward to give facilities for enforcing and to make clear that which from disuse had become obscure and impossible to put in force. He would consider the Bill, having regard to the principles of the old law; and how far it went to carry out those principles? What, then, was the provision in the statute of Elizabeth for relieving parishes reduced to a state of extreme and exceptional distress? It was that they should receive the assistance of a rate in aid for the maintenance of their poor "where the parish was not able" to bear the burden. But when he saw such a definition of inability to pay as an excess of two-thirds over the average amount of rates he was astonished. Did the Government mean that in a parish where the poor rates had only been 1*s.*, in one particular week when the rate rose to 1*s.* 8*d.*, then the principle of a rate in aid was to come into operation? He agreed with the noble Lord (Lord Stanley) that it would be better to measure the test of industry in that case by the fact that the rate had reached some definite sum—such as 5*s.*, or 7*s.*, or any other amount. He believed that such a provision in the Bill would naturally open the door to great abuse, and would hold out to the guardians of particular parishes an irresistible temptation to raise the rate to the required two-thirds beyond the usual amount, so that they might at once be enabled to claim the assistance of their neighbours. He trusted the right hon. Gentleman the President of the Poor Law Board would consider that point before the Bill went into Committee, and would endeavour to guard the power in accordance with the principle of the law of Elizabeth. There was another point in the machinery of the Bill to which he would call attention. Under the clause extending relief from the parish to the union it was quite possible that additional burdens would be thrown upon parishes which might at that same moment be paying higher rates than the parish they were going to relieve. On the face of the Bill that might easily happen. Some parishes, it had been stated, now paid 4*s.* in the pound; and as the Bill was drawn those places might be called on to contribute towards the relief of a parish where the rate, having been 1*s.*, was increased to 1*s.* 8*d.* It had been suggested that the difficulty should be dealt with by borrowing. Now, it was always very easy to shove the burden from off one's own shoulders to the shoulders of other people, but, as a general principle, he was not fond of borrowing. The statement he had just heard from his hon. Friend near him (Colonel W. Patten) rendered him still less disposed to adopt it as a remedy in that case. His hon. Friend said—and no one, perhaps, was more capable of speaking authoritatively upon such a subject—that two-thirds of some portions of the mill property was borrowed money; and then to relieve that particular description of property his hon. Friend would borrow more. He (Mr. Henley) did not think that was a sound or a safe principle of Legislation to follow. He believed that the best course they could adopt would be to enforce the principles of the law of Elizabeth, and to define what was to be regarded as the inability of a parish to maintain its own poor. When that inability was thus ascertained, let the neighbouring parishes be compelled to come to its aid; and, if the burden thus imposed upon them should reach a certain amount, to be also fixed, then let them go to a larger area, and tax the whole country. But let them not, for the purpose of meeting what, he hoped, was but a temporary emergency, part with those principles which had for ages regulated our system of poor relief. If they were to adopt any change of principle in the matter, it would be better that that should be done in a future Session of Parliament, when they would have time calmly and carefully to consider the course which they were pursuing. The hon.

Member for Stafford (Mr. Alderman Sidney) had laid down doctrines which, carried to their legitimate conclusion, would lead to the establishment of a national rate. If they were to abandon the parochial system, and establish a regular county rate, they could not stop there, and they must levy a uniform tax upon the whole country. He did not want at that time, however, to be dragged into a discussion of that question. Let them adhere to the old law of Elizabeth—let them define what "not able" in that law meant, and their legislation would have a useful practical result. His hon. Friend near him (Colonel W. Patten) said that the manufacturing districts in Lancashire were capable of bearing the burden to which they had as yet been exposed, and the papers which had been laid before the House established the same conclusion; and he did not think, under those circumstances, that there was any reason why they should go further than to adopt the principle of a rate in aid.

Mr. COBDEN: I am afraid that, however well suited the statute of Elizabeth may be to the present state of Oxfordshire, it will be found at this moment very ill-adapted to the condition of Rochdale; and I may at once say that I deprecate altogether the views of the right hon. Gentleman when he encourages the Government to allow this Session to pass before we touch any of those ancient principles of the statute of Elizabeth, in amending the Poor Law so as to meet the present state of the north of England. The right hon. Gentleman has convinced me by his speech that the present state of things, and the impending state of things, are not sufficiently understood in this House. The fallacy which runs through his remarks is this—that you are dealing with a community who are competent to pay rates, provided you will levy them. But in order that rates may be paid, you must have production going on, whereas the district which I represent is rapidly approaching the state which an agricultural parish in Oxfordshire would be in if it were struck with sterility. The large capital invested in the cotton trade is becoming not simply unproductive, but burdensome, and mills can only be kept open by the waste of the floating capital of those who, at the present moment, have the misfortune to own them. That being the case, the analogy drawn between a parish which ordinarily pays a rate of 1*s.* and another in a rural district which pays 2*s.* or 3*s.* falls altogether to the ground. The parish which has been accustomed to pay 1*s.* in the pound, and contains a large amount of capital invested in cotton mills, has hitherto been thus lightly taxed, because it has had full and profitable employment for the operatives. But let those manufactories be closed, and your attempt to equalize the rate of the parish which had paid 1*s*, and, perhaps, paid it very easily, with the rate of 4*s.* which has been paid in another parish where employment is still afforded to its population—such an attempt, before you allow any aid to be brought to the parish which is in a state of collapse and paralysis, is out of the question. It is like going to a person who has been struck with paralysis and cannot stir, and saying to him, "My good fellow, there is another man near you who can walk half a mile; try and walk a few yards and do something for yourself." That is the state to which the cotton districts are rapidly coming, and that through no fault of their own. We have heard ridiculous stories told about its being the duty of the cotton spinners to supply themselves with cotton. Why, it is no more their duty to supply themselves with cotton than it is the duty of flour millers to grow their own wheat or of shipbuilders to grow their own timber. The cotton spinners of this country have made admirable cotton spinners, but probably they would have made clumsy cotton planters Their own proper occupation has needed all the capital and skill of these men, who have contributed so largely to make England what she is. The very first principle of political economy is that you should have that division of labour by which men grow cotton in one place or in one country and spin it in another. It is no part of the business of our citizens to go abroad and plant their own cotton, or see that it is grown. With regard to the present deficiency, the right hon. Gentleman says that it has arisen out of war, and that we may have another war, and he seems to suppose that it is not a very exceptional state of things after all. I hope it is, for there is a great deal more at stake than a few towns in Lancashire. This great industry is after all the fly-wheel of our national prosperity; and if it is deranged, you will find the whole industry of the country very soon out of gear. I say that I hope the present state of things is very exceptional. The present dearth of cotton and paralysis of industry have not arisen from any natural causes, and this is the reason why you have so much difficulty in dealing with them. The noble Lord (Lord Stanley) clearly showed that if the want of cotton were occasioned by the fact that the Southern States of America had been suddenly visited by a blight like that, for instance, which destroyed the vines in Madeira, then other countries, seeing that no more cotton was to be expected from that district, would be immediately tempted by the promise of high prices to supply the demand. If, again, there had been a servile war in America—an insurrection of the negroes — which threatened to put an end to that social state which in that country has been associated with the cultivation of cotton, that would have insured its own remedy according to the ordinary principles of political economy, for cotton would immediately have been grown in other parts of the world. But this calamity has befallen us from a totally different cause. Two countries are at war. I call them two countries, because as belligerents they are so; and one of these belligerents has imposed a commercial blockade upon the other. Such a system of warfare may have been very well suited to the middle ages, but it is totally unsuited to an age which is governed by the principles of political economy, and it is England more than any other country in the world which has perpetuated that absurd system of warfare. However, the discussion of that question is useless at this moment, except to enable us fully to understand the position in which we are placed. At this moment you have in America, subjected to blockade, from 3,000,000 to 4,000,000 bales of cotton, because I hold that very little of it has been absolutely destroyed. This was intended for last year's supply; and besides this you have 1,000,000 or 1,500,000 bales now growing, the greater part of which was intended for this country. Now, that quantity of cotton hanging over the market paralyses all operations, and prevents any natural remedy being applied to cure this state of things. If it were anything but an extraordinary and unnatural cause which had produced this collapse in Lancashire — if, for instance, there were a failure in the coal or iron of this country, so that the manufacture were likely to cease to be carried on, then you might look for a natural remedy, and might apply the principle of the Poor Law in its greatest rigour, even with charity and mercy to the people concerned. You might tell them, as they had no employment, to disperse over the land and find occupation elsewhere, because it was evident they could no longer find employment where they were. But that is not the case in the present instance. There is all the necessary fixed capital—the machinery—in the cotton-manufacturing districts, and there exists also a body of manufacturers who will employ the population when they get the raw material, and I believe that the raw material will come, but whether in six months or twelve months it is impossible to say. I do not believe that the cotton in America is destroyed; nay, it is very likely to find its way to England; and it is because other people think this probable that the trade is in a state of paralysis. Then, the practical question for the Government and for Parliament is, how to treat the population under these circumstances. The right hon. Gentleman opposite (Mr. Henley), possessing extensive knowledge in reference to agricultural districts, does not fully comprehend the state of things in Lancashire and Cheshire. He says, "Go back to the 43rd of Elizabeth," and I say you might as well go back to the legislation of the Romans, which would be just as applicable to the present case. The principle to be adopted should be to add as little as possible to the necessary evil, or, indeed, ruin, which must fall on that manufacturing district. You cannot avert the calamities which must befall the population there, but do everything you can to give them the chance of tiding over the immense destitution certain to prevail for the next six or twelve months. In the first place, do not do anything possible to be avoided that might bring ruin to the people possessing cotton mills. It has been truly said by the hon. and gallant Gentleman (Colonel W. Patten) that the great bulk of the mills in Lancashire are not owned by millionaires; though an idea has been propagated, from very questionable motives, that the cotton spinners are men of enormous wealth. The large proportion of the profits in the cotton trade are laid out in buildings and machinery and made reproductive in Lancashire and Cheshire, and the great bulk of the cotton mills and factories belong to persons who have, comparatively, very little floating capital. The names of the great cotton spinners—generally men belonging to families who have been two or three generations in the business — may be counted by scores, but the number of those struggling up, and who by thrift and ingenuity, by the discovery of new machinery and the productiveness of their factories, augment the power and greatness of this country, may be counted by thousands. These latter are the men described by the hon. and gallant Gentleman opposite, who, possessing a certain amount of money, they build mills with it, get credit from their bankers and agents in Manchester, and in that way the great industry and prosperity of Lancashire and Cheshire are produced. Unfortunately, this dearth of cotton came suddenly on us, just in the midst of the great and rapid extension of this manufacturing prosperity. Probably there never was before so much capital invested in buildings and machinery as during the two or three years preceding the crisis in America. This was done legitimately and with a sound discretion, as, except for the present unnatural events, they who so acted would have been prosperous men at this moment. Then I again say that what you should do in your legislation is to avoid as much as possible bringing these men to ruin, because it is on their ability to employ the population that we must mainly depend to restore the community around them to a state of prosperity. But what could be more calculated utterly to exterminate such a body of men than to pursue the course recommended by the right hon. Member for Oxfordshire? I believe he said that in the first place he would wait till next spring.

Mr. HENLEY: I proposed to support the Bill of the Government.

Mr. COBDEN: I understood the right hon. Gentleman to say, that he would have no innovations on the principle of the Poor Law till next spring, and that he would stand on the ancient ways. Now, I tell the Government and the House that I do not think that it would be safe for this House to separate, unless the Government are prepared to take on itself the means of meeting this evil in a different spirit from that which the right hon. Gentleman has indicated. What is the condition of even the richest manufacturer in Lancashire at the present moment? The great bulk of the cotton mills and manufactories, the number of which has been stated at 2,800, are working short time, for three or four days, or for, perhaps, not more than two days and a half in the week. It is notorious to all persons connected with trade and commerce, that every one of these establishments is working at an immense sacrifice to the owner or owners. If working three days in the week, nearly the whole amount of wages paid is lost to the capitalist. I have a communication bearing on this point in my pocket. It is a passage in a letter, dated July 16, written by a gentleman with whom I am not personally acquainted, but whose letter has been handed to me. It is written by a large spinner to a friend in London, and I will read an extract from it—

> "I have cotton purchased which will enable me to run my mill four days a week till near the end of the year; to-day I could sell it off and clear £20,000 profit; by working my mill I shall, at the very least, lose that sum; and I run the risk of a settlement with America and other contingencies, by which I may lose much more; and to only lose this, I assume the present serious margin of loss will in some way diminish, so as not to exceed wages paid, which it now far exceeds."

There are but few owners of these mills in the north of England who can afford to go on in this way for many weeks or months, because they have but little floating capital in ordinary times beyond that which is necessary for the conduct of their business; and when the mills entirely cease to work, what becomes of the district or the population? According to the right hon. Member for Oxfordshire, if a parish requiring aid has only been paying 1*s*. in the pound, he would call on the people of that parish, utterly crushed and ruined as they are, to pay another rate merely for the sake of symmetry, in order that it might approximate to the rate of some other agricultural parish situated in another part of the country, and paying 3*s*. or 4*s*. in the pound. Such a system would only accelerate the ruin and prostration which it is the interest and policy of the Government plan to prevent. It must be borne in mind, too, that in such an impoverished parish as I have described, every new additional rate throws out of the list a very large proportion of rate-paying assessments. Taking the assessment for the present in respect to Blackburn at £18,000 a year, it is obvious, that if you lay on another rate, you impoverish a large class of ratepayers, and the rate would, perhaps, only produce £12,000. If you laid on a third rate in addition, you would probably only get £6,000; and the effect of these additional rates would be to multiply the number of paupers, and at the same time diminish the means for their support. It is not merely the millowner in these districts who is absolutely dependent on the prosperity of the cotton manufacture; for the small shopkeeper, who is dependent on the workpeople for his profits, finds himself reduced almost to the level of the labourer by the same process that ruins the manufacturer; so that you have all the large numbers that subsist on the cotton trade brought down to one common state of stagnation and almost ruin. Look at the vast number of operatives in the cotton district who, during the last few years, have been building their own cottages. It is the pride of the district that the ingenious and very intelligent population there live, to a considerable extent, in their own houses, built through the means of benefit societies and other ways which are known to the Legislature, and which this House has promoted and fostered. We know that these cottages have been very largely built with borrowed money. Well, if the owners, at the very time when they lose their income from wages, should be called on to pay an extra poor rate on their houses, in addition to interest on the mortgages, the whole of the property must be transferred from these poor people to other individuals. This is a state of things you would like to avert if you could; and if you believe that the present unnatural paralysis is more likely to be temporary than permanent, and if you hope that in six or twelve months it must be put an end to, would it not be better, acknowledging that the existing state of things is exceptional, to tide over that period, and to trench on the old principles of the law of Elizabeth, either by borrowing money on future rates or by getting a rate in aid more promptly extended than the law now allows of? I am as much opposed as the right hon. Gentleman opposite to borrowing money on the security of rates in ordinary circumstances; but no person who realizes the condition of affairs in the cotton district could object to the population taking the course they think most advantageous to themselves. The Government and the House ought, I think, to be prepared to act in this case mainly on the advice of those whose interests are especially at stake. The population of the cotton districts of Lancashire and Cheshire have never hitherto been found deficient in that sagacity and prudence necessary for the proper management of their own affairs. I think, therefore, that if it could be shown to be the general wish in those districts that they should be invested with the power of borrowing money for eight or ten years to meet the existing distress, it would be very unwise to interfere with that wish. The Government, in the face of the winter which is before the north of England, would, in my opinion, incur a grave responsibility if they declined to allow the manufacturing districts to carry out that policy, if they themselves deemed it desirable that the course I have indicated should be adopted. I am, of course, aware that such a power as that of which I am speaking would require to be guarded with certain provisions which cannot be now discussed; but I repeat, that if the manufacturing population make their views on the subject known, unitedly and unanimously, the House and the Government ought not to deny those facilities for meeting a great emergency like that which has come upon them for which they may deem it right to ask. I will go a step further. My hon. Friend the Member for Carlisle spoke of the high character of the working-classes in Lancashire, and how undesirable it would be to allow such men to become paupers. Now, for my own part, I will never call any man a pauper who is obliged to seek public relief in consequence of this blockade in the Southern States of America. I invite, then, the operatives of Lancashire, so far as my voice can be heard by them, not to stint their children, as I have been informed they do; not to subject their wives and those who are dependent on them to privations from a repugnance—which does them honour, because it has its foundation in a feeling of self-respect—to apply for parish relief. Let them, I would say, go and get that assistance to which they are entitled, without thinking for a moment that they are degrading themselves by so doing, for no man has a right to say that such would be the case. There is scarcely one of those men who have been engaged in working in the cotton mills who would not, I feel assured, rather be the payer of poor rates than the recipient of aid from that source. I would meet their wants, then, in the manner which I have suggested, and I would do still more. You cannot prevent the working men in Lancashire from selling off everything they have, even the blankets which are to shelter them from the inclemency of winter, rather than go through the ordeal of being classed with other paupers, and the humiliating details into which it is necessary to enter before they can obtain relief at the parish pay-table. If therefore you can relieve their distress while you at the same time, as far as possible, take care to preserve their self-respect and dignity, you will be taking a most desirable course. I would, with that view, suggest to the Government that they should give effect to some provision by which it would be competent for the guardians of the poor to lend money to those men. There are operatives connected with the cotton mills, whose families have, until very recently, been in the receipt of 40*s.* or 50*s.* a week, and who are certain, the moment the tall chimneys begin to smoke and the machinery to revolve again, to earn a similar amount. There are thousands and tens of thousands of those men who would take money from the parish officer to be repaid again when days of prosperity returned to them, whom you could not persuade to take it in the shape in which relief is now administered. It may be said that that which I propose might be done under the law as it stands; and if that is the case, I should like the fact to be made generally known. I should also like to see the Poor Law Board dispensing, as far as possible, with the system of formalities which are now in force as preliminary conditions of obtaining out-door relief. If the mills throughout the North stop working, you cannot want any further proof that in that part of the country there are numbers out of employment who are willing to labour. You must know at once that you have not to deal with the case of the sturdy beggar who has no objection to live in idleness. With such evidence before you, it would be pedantic and absurd to adhere to the letter of those formalities to which I have adverted. I would, therefore, advise my right hon. Friend at the head of the Poor Law Department to take this matter into his serious consideration, and to absolve himself as much as possible from needless responsibility by acting, as far as he can, in accordance with the well-understood opinion of the manufacturing districts in dealing with this important subject. To my right hon. Friend's humanity I need not appeal, and I will simply add that I think it fortunate he happens to be at the head of the Department over which he now presides, for he cannot be regarded by the working classes as wanting in feeling and sympathy for them, inasmuch as his name is, and always will be, associated with a measure which has done more than any other to promote their independence and prosperity.

Mr. LYGON said, the existing evil had been so long impending that he thought the House was entitled to ask Her Majesty's Government why a measure of that importance and difficulty had been postponed till so late a period of the Session. It was all very well for the hon. Member for Rochdale to say that he would throw over the principles of political economy, and that he would give his constituents a measure which he would not extend to any agricultural district; but the subject was one that ought to have been much more carefully discussed. He did not wish to go at length into the question of a rate in aid, but he believed that its practical working would be attended with many difficulties. He must add that he had listened with great astonishment to the statement made by the hon. Member for Rochdale to the effect that the great bulk of the manufacturing interest in Lancashire depended on credit; and if that were so, it was quite clear that the Bill would throw the burden of maintaining those who had been so trading upon those who had been trading on capital. For his own part, he had the strongest sympathy with the labouring classes, while he admired the fortitude with which they bore the distress which had fallen upon them; but he would ask, were the descriptions which had been drawn of their necessities any reason why the House should transfer to other shoulders the burdens of the ratepayers who were not shown to be distressed at all? No doubt, relief must be administered, but it ought to be wisely and justly administered; and those who had so largely benefited by the former state of things ought to pay their fair contributions towards that relief. It was all very well to say that parishes in Lancashire had been rated lightly because of the abundance of the employment afforded there; but when he found that the average rate in twenty-nine unions in that county amounted in 1856 to only 13*d.* in the pound, he thought there was some reason for looking with jealousy on the proposal before the House. He must also complain that the Government had furnished the House with no adequate materials on which to come to a conclusion on the subject; so that there was no means of knowing how far their scheme was borne out by statistics giving a just view of the actual state of things which prevailed in the manufacturing districts. If it was difficult in one manufacturing parish or district for the ratepayers to pay the rates, how could matters be mended by transferring the burden to a neighbouring parish or district which was in similar circumstances. He doubted if the circumstances of the case were as bad as had been represented. Those circumstances were exceptional, it was said, but that was no reason why rash measures should be resorted to, which might entail future mischief. It was a dangerous principle to lay down, that when a particular district which had been largely benefited by its manufactures felt the pressure of distress, it should be relieved of the responsibility which attached to it. The principle of the Poor Law was, that the localities which had been enriched by the labouring classes should bear the burden of the exceptional distress of those classes; and it was unfair to call on parishes which had not been so enriched to come to their assistance. He confessed that the observation of the hon. Member for Rochdale had somewhat alarmed him, when he said that he would not apply the same rule to agricultural as to manufacturing districts. That observation really meant, that the political economy which was good for one's neighbours was not good for oneself. If it was right that the agricultural districts should bear, as they had borne in many cases and for many years, the pressure of high rates, surely the manufacturing districts, when called upon by exceptional circumstances to bear high rates, should not transfer the burden to other portions of the county. But if the present distress arose from exceptional causes, it behoved the Government to take care that those causes remained no longer than could possibly be avoided. Those exceptional causes were well known to be the want of cotton from America—a want that could only be supplied on the termination of the war in America; and every hour the blockade of the Southern ports was allowed to continue, and every hour we refrained from recognising the Confederate States, beyond the time dictated by international law, must inflict incalculable suffering upon thousands of our fellow-subjects.

Mr. E. P. BOUVERIE said, he wished to remind the House and the hon. Member for Rochdale that there was no present emergency to deal with. That fact had been distinctly stated by the President of the Poor Law Board when he introduced the measure. The existing means were, as the right hon. Gentleman had assured the House, perfectly adequate to meet the existing distress, and in all probability the measure which he was introducing would never come into practical operation. The same representation was made in the only document relative to the subject which had been laid before Parliament. Mr. Farnall, in his report on Preston, one of those towns where the pressure was understood to be greatest, stated that—

> "The board of guardians, the local committee, and every magistrate, clergyman, and ratepayer with whom I have conferred, have expressed their determination and their ability to meet all the requirements of the poor of the township of Preston, through the medium of their own funds."

Mr. COBDEN: What is the date of that?

Mr. E. P. BOUVERIE: The 31st of May.

Mr. COBDEN: Mr. Farnall afterwards changed his opinion.

Mr. E. P. BOUVERIE said, that the report he had quoted was all the Parliamentary information that they had to guide them. He repeated, however, that not more than forty-eight hours ago the President of the Poor Law Board stated that the existing means, administered in the ordinary way, were perfectly adequate to the present emergency. There was therefore no immediate pressure; but he understood the reason for the introduction of the Bill to be, that in the course of the vacation the pressure might become so great that the ordinary means of relieving the poor would be exhausted, and therefore it behoved Parliament, in prudence, before separating, to avoid the necessity of meeting again in the autumn by making some provision for the possible emergency. The distress of the manufacturing districts was not denied as a matter of fact, and it appeared to him to be the unavoidable and the necessary consequence of the present war in America, and the position of our cotton manufacture. The practical question now was, how were they to meet this distress? Three distinct proposals had been laid before the House. One was the proposal suggested by the hon.

Member for Rochdale, and which had come before the country from various quarters, namely, that they should enable guardians to raise money by loan to meet the extraordinary demand upon the parish funds. It appeared to him (Mr. Bouverie) that a loan was the last measure to which recourse should be had on such an occasion. They were told that the circumstances were exceptional, but that was always the excuse of the spendthrift when he wanted to raise money to meet a present emergency. It was true that the particular occasion which had originated the distress was exceptional, but manufacturing distress from time to time was not exceptional, and his hon. Friend the Member for Rochdale must well remember the distress of 1842, which was much more general than the distress which now existed in the manufacturing districts. Let his hon. Friend read the accounts of the distress of that period, and say whether Lancashire had arrived, or was likely within any reasonable time to arrive, at the state of misery which then prevailed. Yet that distress was met, not without pressure and suffering it was true, but by the existing machinery of the law, and was tided over without having recourse to the spendthrift machinery of a loan. Let him ask his hon. Friend where the money for the loan was to be raised? Did he propose that Parliament should make a grant of money as an advance? In the case of the distress in Ireland the public advanced the money; but he (Mr. Bouverie), on the part of the taxpayers of this country, protested against their having recourse in the present case to any such expedient. Then the hon. Member for Carlisle suggested that £100,000 a month would be sufficient to meet the emergency, and that Parliament should make a grant to that extent. Let him remind his hon. Friend that in Scotland there was no poor rate at all, that there was no provision for any but the sick, the infirm, and the disabled. It was the glory of England that she was the only country in the world were by law there was a provision for the able-bodied poor, who had the right in their necessity to come upon the property of the country to maintain them. That right, however, was so hostile to the maintenance of property, that unless it was guarded with the greatest care and rigour, it was not impossible that the poverty of the country would swallow up altogether the property of the country. There was but one security against such a result, and that was that those whose property was called upon to support the poor were those who administered the relief. Let it not be imagined that there was any fixed quantity of paupers who would come upon the rates; for any one who knew anything about these matters, knew that if there was a lavish expenditure, pauperism would grow by what it fed on, till it would swallow up all that was destined to maintain it. Therefore it was that a public grant, to be administered by the guardians of the poor in these districts, was not to be entertained for a moment; and they were reduced, then, to the third proposal, of a rate in aid, which had been adopted by his right hon. Friend in the Bill. He fully agreed with the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), that if they were to have a rate in aid, they should keep as near as they could, having regard to the altered circumstances of the time, to the ancient statute of Elizabeth. They ought, in the first instance, to require proof of the incompetency of a district to maintain its poor before permitting the Act to come into operation. He saw no provision made for such proof in the Bill of his right hon. Friend, and in that respect he thought some Amendment would have to be made. The right hon. Gentleman the Member for Oxfordshire had pointed out another blot in the Bill—namely, that on the face of the clause as it stood the parishes relieved might in a great many cases be better off than those who were subjected to the additional burden. The Return upon the subject of the poor rates which was laid before Parliament last year showed that in Cheshire principally, and also in Lancashire to a considerable extent, in a great number of parishes the rates were ridiculously low, according to Southern notions—that something like 20 per cent of the Cheshire parishes were rated at under 6*d.* in the pound, and something like one-half at less than 1*s.* Would any one tell him, then, with regard to those parishes, that if their rates were raised from 1*s.* to 1*s.* 8*d.*, and from 6*d.* to 10*d.*, so that the provisions of this Bill would come into operation, they would of necessity reach such a point as to entitle them to come upon their neighbours for assistance. The matter did not bear argument, and it was absolutely necessary to introduce into the

Bill a clause fixing some *minimum* rate which should give to a parish the title to call upon its neighbours to assist it. These were matters of detail which would have to be considered when they got into Committee on the Bill. Of the three proposals before the House—and there were only three—no one who fully, fairly, and impartially considered the subject could doubt that a rate in aid was the proper measure to be adopted, and that loans and advances were not to be thought of. Suggestions had been made which appeared to him to indicate an amount of alarm which was not justified by the state of the case. No doubt the distress and suffering were great—present suffering was always felt most intensely; but would any one say that after another period of prosperity some great national calamity might not occur, producing not only equal, but far greater suffering than was now felt in the manufacturing districts, and less confined to one particular locality? He therefore hoped the House would accede to the proposal of his right hon. Friend, properly modified, rather than grasp at the suggestions of those hon. Gentlemen who came from the manufacturing districts; for sure he was that if their proposals were adopted—if recourse were had to any of these extraordinary methods they recommended, they would themselves be among the first to lament and deplore that their advice had been taken, and that a departure had been made for that course which experience in the past, here and in other countries, proved to be the best mode of dealing with such an emergency.

MR. HIBBERT said, he had received a communication from the board of guardians of Oldham, who had met to discuss the provisions of the Bill. Their opinion was that the powers to be given by the Bill should be limited to union rating, while, at the same time, it ought to sanction loans, for a limited number of years, to be resorted to at the discretion of the guardians. They had no desire to obtain assistance from any other union in the county. He had no doubt that similar communications would be received from other unions. He believed that a loan would throw the burden of relief upon the districts that ought to bear it; and therefore he preferred a loan to the plan proposed by the Bill. The principle of borrowing money was not quite unknown to the Poor Law. It was already applicable for building workhouses, enabling persons to emigrate, and making a valuation of a parish. There were, therefore, three precedents, while a loan would meet the necessities of the case much quicker and much better than the proposed plan. As to the distress, every one connected with Lancashire admitted that there was a gloomy prospect, and that Parliament should not separate without providing for the worst. He had a Return from several unions coming down to the 17th and 18th inst. It showed that since the 1st of January the numbers of paupers had increased: at Ashton, from 1,814 to 9,739; at Blackburn, from 3,357 to 10,935; at Preston, from 3,383 to 11,407. He had also received statements pointing to the probability of greater distress. At Wigan it was probable that in a few weeks scarcely a single mill would be working either full or short time. Only one mill was running six days a week, and the number employed three days a week was gradually decreasing. At a meeting of the board of guardians at Preston two days ago the chairman stated that 11,000 or 12,000 were receiving soup and bread who were not yet chargeable upon the poor rates; and that if other mills were closed, the distress would be greater than ever, and it would be difficult to collect the rates, which were now 3*s.* in the pound for the half-year. A letter from Rochdale stated that out of eighty-five cotton mills, within a short radius from the centre of the borough, thirty-six were at a stand, and that in a week or two probably sixty would be closed altogether, and the remainder would be working only about two days a week. He repeated that in such a state of things the House ought certainly not to separate without arming the boards of guardians with some extraordinary powers to enable them to cope with the emergency which might arise. He entirely approved of the suggestion which had been made by the hon. Member for Rochdale, that the labour test should be relaxed. It was said, that as the rates were not very high, no case for a Bill like this had been made out; but the reason why the rates were so low was because the operatives, by means of their saving and provident habits, had remained as long as they could without asking aid from the parish. That circumstance alone gave them an additional claim to succour in their emergency; and he trusted that the relief afforded them would be administered in as rapid, as easy, and as little harassing a manner as possible.

THE MARQUESS OF HARTINGTON said, that the right hon. Member for Kilmarnock (Mr. E. P. Bouverie) had complained of the want of evidence of the necessity of that exceptional legislation. Now, nobody had asserted that the state of things in Lancashire was already such that the ratepayers were unable to meet it. It was, however, perfectly well known how many cotton mills there were, what was the number of hands employed in them, and what was the present and also the prospective stock of cotton. It therefore required no great amount of foresight to see that within the next few months matters were likely to grow worse and worse. The stock of cotton in the country would not be sufficient to satisfy the demand for exportation and for home consumption much beyond Christmas; and then it was easy to perceive, even without any returns from Poor Law guardians, that the whole population dependent on the cotton manufacture would be out of work and in the greatest distress. It had been said that the Lancashire manufacturers carried on their business upon borrowed capital; but, whether that were the fact or not, it had no connection whatever with the present distress, which had entirely arisen from exceptional and political causes. The local ratepayers had no desire to shift their own proper burdens to other shoulders. The general expression of a wish for a loan proved that, because if money was found, the people of the distressed districts alone would have to refund it. To a rate in aid there was the objection that it would fall upon agricultural districts as well as upon the towns. The question to be answered was, whether it was better to meet the distress by a continually-increasing rate, or by raising the amount required upon the prospects of prosperity, which it was almost certain would, at no great distance of time, follow upon the present depression? His own opinion was very strongly in favour of a loan, and he trusted that a power to raise it would take the place of the second clause of the Bill.

MR. BOVILL said, he thought it was a most remarkable feature in the discussion, that although this Bill, the most important measure introduced by the Government, had reached its second reading, not a single hon. Member who had spoken had approved of it. Nor was that surprising, because the Bill had been prepared with much haste, as was obvious to anybody who glanced at its provisions. The first clause was perfectly absurd as it stood. It provided, that if there was an excess of expenditure of two-thirds in any one week, the guardians might raise such excess until the 1st of March next. The construction that might be put upon that was, that until the first of March they might raise the deficiency of one week. Suppose, however, it meant that such excess was to be raised in each week, and then in the very next week the excess was doubled, were the guardians to be enabled to raise that increased excess, or only the excess as it stood before? The clause ought surely to provide for the excess as it went on from week to week; but nobody on earth could tell what its present language meant. Again, the next clause gave the guardians power to raise money from the parishes without any limitation or qualification whatever. In the latter part of the Bill words were introduced to the effect, that no order should be carried to the Queen's Bench by *certiorari;* but the writ of *certiorari* was not the only way in which an order or rate could be disputed, as any one affected by a rate could dispute it by an action in the courts of law. There was no provision to meet the varying circumstances of different parishes, and upon that point amendment was required. He had been surprised to hear the hon. Member for Rochdale (Mr. Cobden) attack the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) for recommending an adherence to the principle of the statute of Elizabeth, because the Bill of the Government was founded upon that law. Every word spoken by the hon. Member for Rochdale was a condemnation of the principle and details of the Government Bill, and yet the hon. Member for Rochdale made it the subject of a eulogium upon the right hon. Gentleman who introduced it, and attacked the right hon. Gentleman the Member for Oxfordshire for supporting it. There was one very serious point to be considered. It was admitted that the burden of the poor rate should be ultimately borne by land and property. At present it was so; but by introducing a temporary measure the Government would throw the charge upon those who were incapable to bear it—namely, the occupiers alone, and something should be done to remedy that evil. He thought the best plan would be for the Government to strike out all the clauses of the Bill, and to propose other clauses in Committee which would be free from the objections that had been made.

MR. C. P. VILLIERS said, he did not intend to prolong a discussion which it had been the general desire of the House to defer until a future stage. When the proposition was made by the hon. Member for North Lancashire (Colonel W. Patten) that there should be no discussion taken on the second reading, because the Bill had only been delivered that morning and there had not been time to obtain information, it was generally accepted by the House as the proper course to pursue. From what had since taken place, the propriety of that view had become only more apparent. A number of general observations had been made not exactly bearing upon the Bill, but dealing rather with other matters. They had had, what the House generally had when it was asked to do nothing more than assert a principle—a legal authority rising and analysing the whole of the clauses. He (Mr. Villiers), however, would forbear to discuss the clauses of the Bill until the fitting time. He would remark, however, that upon one point the hon. and learned Gentleman who had preceded him was not to be implicitly relied upon, even upon a matter on which he ought to be professionally informed. The hon. and learned Gentleman had referred to the 7th clause, and remarking that by it the orders of the Poor Law Board were excepted from being taken before the Court of Queen's Bench by *certiorari,* went on to say that the validity of rates could be disputed in other courts. The hon. and learned Gentleman had made a confusion between orders and rates; and although what he said was true as to rates, it was not true as to orders. The hon. Gentleman again was wrong in saying that every speaker had condemned the Bill, for his (Mr. Villiers's) impression was exactly the contrary. As far as he could judge, every one seemed disposed to accept the Bill as framed to meet a particular end of which they approved, and that although some Amendments might be required, yet it was only on details that suggestions had been made. He was justified in thinking that there was a general approval of the Bill by the fact that the second reading was assented to. He was grateful for the favour the Bill had met with, because it was not easy to devise a measure proper for the occasion, which it was almost necessary to prepare in something like haste, owing to the approaching termination of the Session. He thanked the House for its reception of the Bill, and would attentively consider every suggestion that had been made to amend it. He had himself discovered mistakes which needed correction, and particularly in the 1st clause, without offering the smallest pretence to the hon. and learned Member for calling it a sheer absurdity. He thought there might be a difficulty, looking at the circumstances of Lancashire, in taking the amount of expenditure at any time, instead of a certain rate in the pound. The question what should be the limitation would be a fair question for the Committee, and he would be quite prepared to consider carefully any suggestions upon that point. Then there was the proposal to provide, perhaps in the alternative or in substitution, that parishes should raise the money on the mortgage of the rates. He certainly had regarded that proposal as an objectionable one, but throughout Lancashire a great difference of opinion prevailed respecting it. For instance, at Preston, the vice-chairman of the board and the chairman—they were both remarkable men—who both lived on the spot, knew the district perfectly well, and had well considered the whole consequences of these different measures, and yet they had come to different conclusions. One of the objections to raising money in that way was the great burden thereby cast upon the distressed district; so that it the distress continued for any long time the district would be very much encumbered by the amount of debt and interest. At the same time, the proposal was not to be spoken of confidently or to be denounced. It was not, as his right hon. Friend (Mr. Bouverie) had said, an ordinary, but an extraordinary case of manufacturing distress. It was exceptional in every way. As his hon. Friend (Mr. Cobden) said, it was like a country district the soil of which had been struck with sterility; masses of men who had been in the habit of deriving their means of livelihood from the cotton manufacture were now suddenly deprived of employment. Under these circumstances, it was ridiculous to say that it was only an ordinary depression of trade or an ordinary crisis; and in considering how they should mitigate the sufferings of the people they ought not to be too strict and too rigid in their plans of relief so long as they were careful not to aggravate the evil. Looking at the condition of the district, he thought that the plan he had proposed would be a more suitable one than a resort to loans, and that in order to relieve the distress of a particular district they should call in the aid of those who were more fortunately placed, and should thus obtain relief which the distressed district would be under no obligation to repay. It would be for those interested in Lancashire to consider whether they would prefer to raise the money at once, and repay it annually; or whether they would, in accordance with the principle recognised by our ancient law, obtain aid from neighbouring districts well able and, from what he had heard, very willing to afford relief, just as throughout the whole country people were most anxious to contribute and to do all in their power for the relief of the distress. His right hon. Friend the Member for Kilmarnock (Mr. E. P. Bouverie) was not altogether candid in his reference to the subject. He seemed to think that it was a gratuitous piece of legislation, and that if there were any exceptional circumstances, they were not of the magnitude to justify such legislation; and he rather implied that there was a degree of wantonness about the proposal, and that the Government were doing something to excite needless alarm. He was sorry that his right hon. Friend was not now in the Department which he once filled, for then he would have been better informed. He believed that he did occasionally pay visits there and obtain information, which he used with great advantage in that House; but had he made further inquiry, he would have found that the measure was called for, and that with the information supplied to the Department no one in office could have justified himself if he had proposed nothing to meet the prospect of further suffering among the operatives, or had not, at least, informed the House of what he knew, and left it to provide for the evil. Neither in referring to his statement the other night, nor to that of Mr. Farnall, had his right hon. Friend shown his usual candour. He (Mr. Villiers) had certainly said that up to the present moment the existing law was sufficient; but his case was that the distress would soon be greatly aggravated, and that some further legislation might be needed. The poor operatives had struggled to the last moment to retain their independence. They had drawn out from the savings banks almost every sixpence that they had saved; and as they had been sparing the rates hitherto by their providence, so the pressure upon the rates would be fearfully increased when those resourses were exhausted. His right hon. Friend said that the rates were very low in some of those parishes. But in that he overlooked altogether the circumstances of the district. The rates were paid very largely by the working men themselves. Perhaps his right hon. Friend would be surprised to hear that in Oldham two-thirds of the ratepayers were operatives, and that in other places the proportion was one-fourth and one-third. Where were those people to find the means of paying the rates? Then there were the small shopkeepers. What were they to do when their customers no longer received wages? The operatives even then were very much in debt to the shopkeepers, who had been giving them credit for the last two months. The total suspension of the cotton trade stopped the whole machinery by which rates were raised, because it was the very source of the rates in those districts. The mistake into which people fell was as to the rateable value of property there. If the inhabitants had no means of paying rates, they must evidently make a great reduction in the rateable value, and hon. Members would, therefore, not be surprised to hear that in Stockport the estimate was that 50 per cent must be deducted on account of non-collection. That was the present state of things. Everywhere there was an apprehension that the rates would not be collected, and in particular places that might even lead to a more serious state of things than he had mentioned. As he had stated on a former occasion, the policy of the Bill was that there were particular townships where the rates might increase so largely that they might be unable to maintain their poor. Hon. Members might talk of the great value of the property there, but the remedy was to meet a state of things that might arise. What was proposed, then, was to fix a limit at which it might be assumed that a township would find it difficult to support its poor, and then to charge the excess on the union fund. There was nothing new in that proposal; it followed the principle recognised by the old law, and it would be found effective for the object in view.

The pressure was gradually increasing, the rateable value of property was diminishing, and the total stoppage of the mills was everywhere apprehended. He believed that what he had proposed would afford relief in many cases, and he did not think it was for hon. Gentlemen connected with town interests to complain of it. He had expected opposition from another quarter, and was glad therefore to hear the right hon. Gentleman (Mr. Henley) approve the principle of the Bill. He would instance the case of Preston Union. That included thirty-two townships, out of which not more than two were very much distressed, the rest being agricultural or comparatively well off. A large portion of Lancashire was not immediately connected with manufactures, and some unions were as purely agricultural as any in the country; yet, according to the plan proposed, they would all be liable for the relief of one manufacturing union in distress. Hitherto there had not been any complaints in that quarter, and he hoped that there would be none. He was perfectly ready to reconsider the basis on which it was proposed to proceed in levying contributions on the other unions. In drawing the Bill, there had, he thought, been an error in the rate at which the excess had been fixed. The union funds, which heretofore had been very slightly charged, had lately become subject to very considerable charges. The Bill which passed last year fixed several fresh charges on the union fund, to which must be added the cases of persons who had lived in the union for three years, who were now irremovable. He might observe, in passing, that those who opposed that Bill had no reason to feel satisfied with themselves—assuming that they represented the agricultural districts—as the information he had received enabled him to say that not only hundreds and thousands, but tens of thousands, would be returned on the agricultural districts but for that Bill. Many of the persons who would thus have become chargeable on the agricultural districts were discovered to have lived for three years in some part of the union. On inquiry he had been surprised at the number of persons falling under that class who could not now be removed in the manner that was formerly done in times of commercial depression, and which used to be felt by the agricultural districts as a great infliction. His hon. Friend the Member for Rochdale had asked him for information on the subject of loans. It was quite true that they might be made, but they were not frequent, because the conditions on which they were made hardly offered an inducement to the poor to prefer them to the relief given freely. With respect to these matters it was the rule with the Poor Law Board to interfere as little as possible with the guardians in their actual distribution of relief. General rules and orders had been drawn up by the Board, and were enforced as far as possible; but they were not conclusive in all cases, for the views of the guardians were at times consulted, and though no leading principle of the law was disregarded, the administration was chiefly local, and was thereby rendered satisfactory. It only remained for him to state that he proposed to go into Committee on the Bill on the following Monday, and in the interval he would collect as much information as possible for the guidance of the House. He feared, however, that the information asked for by the hon. Member for Evesham could hardly be obtained.

MR. LYGON asked whether the proportion of the excess could not be ascertained by reference to the corresponding period of last year.

MR. C. P. VILLIERS said, the amount in former years could be ascertained readily enough, but no present data could be obtained with which to compare it, as the accounts were only made up periodically. With respect to the objections taken by an hon. and learned Member to what he called "giving a week's relief," the phraseology of the clause might be capable of amendment, and the period of one week might be too short; but the meaning of the clause was sufficiently clear. The intention was that the guardians of a particular parish should be repaid from the common fund any excess which was paid above their legitimate proportion. He did not think there was any precedent to justify loans of the nature contemplated by his hon. Friend the Member for Oldham; but, though the borrowing powers were very much restricted, the security had always been found good, and in case of necessity he did not think there would be any difficulty in obtaining money.

COLONEL WILSON PATTEN inquired if he understood that the right hon. Gentleman gave up the fluctuating principle named in the Bill as the starting point when aid was to be given.

Mr. C. P. VILLIERS: I give up nothing, but I will consider anything.

Sir HENRY WILLOUGHBY observed, that the noble Lord the Member for Lynn, and the right hon. Gentleman the Member for Oxfordshire, had both declared their opinion that by assenting to the second reading of the Bill they were pledged to the principle of a rate in aid. If he thought so, he would not support the Motion, because it would be found exceedingly difficult to carry out in practice any such proposal. He had a very great respect for the Act of Queen Elizabeth, but he believed that it must have been very raw legislation by which justices were enabled to tax any parish which they pleased for the expenses which another parish was not able to bear. In what had been well described as an exceptional case, he did not think the House ought to go back for a precedent to the year 1601. Many persons connected with the administration of the Poor Law were of opinion that nothing but a public loan would meet the exigencies of the case, and, however disagreeable such a course might be, he believed that it must ultimately be adopted. The knowledge that money borrowed would be a mortgage on the rates would make the districts exceedingly careful. He wished that the right hon. Gentleman the President of the Poor Law Board had stated the principle which would be acted upon in affording outdoor relief in the distressed districts. Was it intended that a test of any kind should be employed? He thought that was a question of too much importance to be slurred over. He remembered, when the change in the Poor Law was made, putting a question to Lord Althorp, whether, supposing there was very great distress in the manufacturing districts, they would carry out the principle of indoor relief in them. It was obviously impossible to put all the operatives in a manufacturing town into the workhouse. When the new Poor Law was introduced, outdoor relief was to be abolished, and relief was to be given only in the workhouses. That system had broken down of itself. Some hundreds of large union-houses had been built, but they had never been filled, and they stood monuments of the folly of the law which had called them into existence. He thought that they should, as much as possible, avoid all great changes, and that they should limit all their efforts to enabling parishes to raise loans on a safe footing in cases of great necessity. He would also call attention to the fact that the fourth clause of the Bill provided that the unions should be taxed according to their expenditure.

Mr. C. P. VILLIERS said, that that was a mistake in the Bill.

Mr. NEWDEGATE said, that as he had been engaged for two winters in endeavouring to mitigate the great suffering which had prevailed in the ribbon trade of the district in which he lived and in the city of Coventry, he hoped he might be allowed to address a few observations to the House upon that occasion. He regretted to hear the right hon. Gentleman the President of the Poor Law Board the other night speak lightly of the parochial system; and he would give the right hon. Gentleman a practical illustration of its value, in disposing of the £40,000 which the public, with Her Most Gracious Majesty at their head, not long since contributed for the relief of the distress in North Warwickshire. The distribution had, by the observance of strict economy, been made to extend over two winters. The General Relief Committee came to the conclusion that they could not administer that fund with anything like efficiency or with anything like economy without breaking it up and appropriating to each of the several district committees, under whose superintendence the system of relief was to be locally conducted, the share of the fund, to which the destitution, as ascertained by a regular census, entitled each such district. That was a piece of practical experience, which had been brought home to his knowledge, and he thought it would be impossible to have a more powerful illustration of the necessity for local agency guided by personal and local knowledge, such as the parochial system afforded, in carrying on operations of that description. He was glad to hear the speeches of the hon. Member for Evesham (Sir Henry Willoughby), and of the hon. and learned Gentleman who had previously addressed the House, because he believed that by that Bill they were about to establish a vague discretionary power in a case in which his experience taught him that they wanted definite rules, and something approaching to personal responsibility. He was strongly in favour of the proposal for raising loans on the rates, because the local knowledge and the good feeling of the residents in each particular district would then be brought to operate in ensuring the best system of administering relief, actuated by a sense of personal and local interest. He was not at all averse to the principle of a rate in aid, but he would suggest to the right hon. Gentleman, that if he wished to avoid an amount of difficulty which even the great powers vested in the Poor Law Board would not enable him to overcome, he must secure the establishment of strict rules and local responsibility in relieving that distress. The rules which were adopted by the gentlemen with whom he co-operated were—that they should give a small *maximum* sum for absolute subsistence; that relief should next be given by work; and that when medical assistance and extra diet were required, they should be separately afforded, under the attestation of medical men, and of other persons competent to decide upon such cases. There was another subject on which he wished to touch for a moment. The whole of the existing distress arose from a failure of the supply of cotton, and it was with the deepest regret he saw in the newspapers certain resolutions which had been passed by the Chamber of Commerce in Manchester, which appeared to him calculated to discourage any attempt to procure that staple for a large branch of our national industry from any other quarter than the States of America. That was not the spirit in which they had acted in the district in which he lived: they had cast about in all directions for the means of affording employment, whether by the establishment of new trades or otherwise; and he hoped that those who were interested in the cotton manufacture would endeavour to procure their supplies from some safer source than the single one of the United States in their present condition of lamentable disorganization. It had been truly said that the more numerous the sources of our supply the safer would be that supply, and the greater would be the probability of our seeing a termination of that lamentable state of things in Lancashire which must grieve every well-wisher of his country, and must excite the sympathy of every one who was accessible to the feelings of humanity. He would only say, in conclusion, that although they must regret the misappropriation of the loan advanced for the relief of distress in Ireland, still that loan was to a certain degree effectual for its purpose; and he believed that through the distribution of the burden which loans would create, the House would mitigate the pressure upon the poorer ratepayers, and would best elicit that local co-operation and personal knowledge without which no system of relief could be effectually administered to a vast population.

MR. E. P. BOUVERIE said, that his right hon. Friend the President of the Poor Law Board had complained that he had misrepresented his remarks the other evening, and that in doing so he was wilfully in error. [MR. C. P. VILLIERS: No.] The observations which he attributed to his right hon. Friend were that there was just then no actual pressure, and that the existing law was adequate to meet the present emergency. The words which he heard his right hon. Friend say were as follows:—

> "It was not with a view to any immediate action that he asked the House to legislate on the subject. He did not mean by taking that course to imply that the law as it at present stood was not perfectly adequate, and had not hitherto been found to be adequate to meet the emergency that had arisen in the manufacturing districts; nor could he predict with confidence that any further powers which might be conferred on the guardians of the poor in those districts would be enforced when granted."

MR. C. P. VILLIERS said, he never charged his right hon. Friend with misrepresentation at all. He only said that he had shown a want of candour in quoting a portion of his remarks, so as to lead the House to believe that he was introducing a measure which was inconsistent with his own estimate of the emergency. He had brought forward the measure with a view not to an existing emergency, but to one which might arise.

Bill read 2°, and *committed* for *Monday* next.

BANKRUPTCY ACT (1861) AMENDMENT BILL—[BILL No. 223.]

SECOND READING.

Order for Second Reading read.

MR. PEEL moved that the Bill be read a second time.

MR. AYRTON said, there was an accidental error in the schedule of the Act of last Session, by which the clause which disqualified county court judges from sitting in Parliament was repealed. He would suggest that the opportunity might now be taken when the Bill was in Committee to remedy that error.

Bill read 2°, and *committed* for *To-morrow.*

MILITIA PAY BILL.—COMMITTEE.

Order for Committee read.

Colonel DUNNE said, he wished to express his satisfaction that so many as 156,000 of the militia were called out for drill during the year. The difficulty with the militia now was not with the men, but with the officers, who were pecuniary losers, and he would therefore suggest that they should be allowed lodging money.

Sir GEORGE LEWIS said, the present had been a peculiarly successful year for militia. The recruiting had gone on in a satisfactory manner, and there was no necessity for adopting any measure to encourage it in the militia. He would direct his attention to the subject mentioned by the hon. and gallant Gentleman before the third reading.

Bill *considered* in Committee.

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

CONSOLIDATED FUND (APPROPRIATION) BILL.—SECOND READING.

Order for Second Reading read.

Mr. PEEL moved the second reading of this Bill.

In reply to Sir Henry Willoughby,

Mr. PEEL said, that hitherto when any extraordinary expenditure had taken place the amount was paid out of the surplus Votes. It was proposed to continue the practice, but to make the charge temporary and not final, and in the next Session to take a specific Vote to cover the advance.

Bill read 2°, and *committed* for *To-morrow.*

POOR REMOVAL BILL—[Bill No. 151.]

THIRD READING.

Order for Third Reading read.

Sir GEORGE GREY moved the third reading of the Bill.

Sir HERVEY BRUCE said, he rose to move that the order be discharged and the Bill recommitted. In explanation of the Motion he wished to state that he had omitted at the proper time to propose an Amendment which he then sought to introduce, and which had received the approval of several hon. Members. If the Bill were passed as t stood, the poor Irish residing in Lancashire and Cheshire, and thrown out of employment in consequence of the want of cotton, would be sent back to Ireland. It was with the view of preventing such a result that he would move the Amendment of which he had given notice; namely—

> "That no poor person leaving Ireland when under five years of age should be sent back to Ireland from England or Scotland except with his or her parents, and no poor person should be sent back to Ireland who had lived five consecutive years in the same parish in England or Scotland, or ten years in different parishes."

If he failed in inducing the House to insert the Amendment, he should move for leave to bring in a Bill enacting such a provision early in the next Session.

Motion made, and Question proposed, "That the Order for the Third Reading of the said Bill be discharged."

Sir GEORGE GREY said, that the Amendment did not come within the scope and object of the Bill, which related to the power of removal and not to the law of settlement. It might be very proper to consider the proposal at a future time, and the hon. Baronet was quite entitled to bring in a Bill upon the subject in the next Session.

Colonel DUNNE said, he should support the Amendment, in the belief that it would remedy a great injustice which the Bill would entail on Irish paupers. He hoped, however, that a further opportunity would be given to consider the matter. The House was in too apathetic a state to consider serious questions, for all that the few Members who remained desired to do was to go home.

Mr. MONSELL said, he thought it would be more prudent not to press the Amendment, since it involved so large a question. At the same time it was the duty of the Government to take this real grievance into their consideration.

Motion, by leave, *withdrawn.*

Bill read 3°, and *passed.*

COPYRIGHT (WORKS OF ART) BILL.

[BILL NO. 192.] LORDS' AMENDMENTS.

The SOLICITOR GENERAL said, that the Bill, as originally introduced, gave a copyright in works of art to all persons without distinction, whether foreigners or British subjects; but the House of Lords had introduced an Amendment which would leave foreigners to resort to the

International Copyright Act in case of an infringement of their copyright. That he thought was not a material alteration. Next the House of Lords had introduced an Amendment, requiring registration in all cases to precede the acquisition of copyright. If the House opposed these Amendments, the passing of the Bill that Session would be endangered, and therefore he was prepared to ask the House to agree to them.

Lords' Amendments *agreed to.*

POOR RELIEF (IRELAND) (No. 2) BILL.

[BILL NO. 225.] LORDS' AMENDMENTS.

SIR ROBERT PEEL said, there were some of the Amendments to which he should offer no opposition, but there were others from which he should ask the House to disagree.

Lords' Amendments *considered,* and *agreed to,* as far as the Amendment in page 2, line 29.

MR. HENNESSY said, he felt an objection to that part of the Lords' Amendments which struck out of the Bill the clause which would have repealed what was known as the Quarter-Acre Clause. The part struck out by the Lords was one of the most important parts of the Bill. In times of great distress in Ireland, persons who held small pieces of land might need parochial relief, and by the Bill as it went up to the Lords the guardians would have been empowered to give the holder of a quarter of an acre of land outdoor relief, but the Lords' Amendment would prevent the administration of relief to such persons unless they consented to become inmates of a workhouse. He would therefore move that the House disagree with the Lords' Amendment.

SIR ROBERT PEEL said, he thought it would not be judicious to quarrel with the Lords as to that Amendment. If a workhouse was full, the guardians would have power to give outdoor relief, not in money, but in food, to the holders of a quarter of an acre if in distress.

MR. MONSELL contended, that if out door relief were advisable in any case, it was especially so in that of the class of persons in question.

MR. GEORGE said, he had voted for a repeal of the Quarter-Acre Clause, but he thought the Lords had introduced an extremely desirable Amendment.

MR. BUTT urged that outdoor relief should be no more denied in Ireland than it was in England. He would support the hon. Member opposite (Mr. Hennessy) if he called for a division.

Page 2, line 29, the next Amendment, read 2°.

Motion made, and Question put, "That this House doth agree with the Lords in the said Amendment."

The House *divided:*—Ayes 61; Noes 11: Majority 50.

Amendments *agreed to,* as far as the Amendment in page 2, line 32.

MR. HENNESSY said, the House had just come to a decision the very opposite of that at which it an hour or two before arrived in the case of England.

SIR ROBERT PEEL said, he would then move that the House should not assent to the Lords' Amendment, striking out Clauses 3, 4, 5, and 6. The clauses in question had been rejected in the Lords only by a majority of two, whereas the first of them had been adopted in the House of Commons by a majority of ninety-six as against sixty-nine. County infirmaries—the aid afforded by which the clauses sought to increase, by making it lawful for the guardians of any union, in cases requiring special treatment, to send the inmates of workhouses requiring medical aid to any hospital or infirmary which might be available—were admirable institutions. Being situated, however, in the county town, they were—as for example, the cases of Galway, Mayo, Leitrim, and Donegal—sometimes thirty or forty miles distant from remote parts of the county, so that there was not the facility in all cases for providing medical relief on the part of the poor which it was the object of the clauses to provide. That being so, he trusted the House would not agree to the Lords' Amendment.

COLONEL DUNNE said, he thought the Lords were justified in rejecting the clauses. His objection to the clauses was that they empowered the Poor Law Commissioners to order the Unions to build hospitals to an unlimited extent. He hoped the Lords' Amendments would be sustained.

Page 2, line 32, the next Amendment, *disagreed to.*

Amendments *agreed to,* with Amendments, as far as the Amendment in page 6, line 11.

MR. HENNESSY said, that by another alteration made in the Bill the Lords had struck out the provision that a deserted child should be brought up in the religion of the person who found it. He hoped the Chief Secretary would move the House to disagree with that Amendment.

Sir ROBERT PEEL said, he was sorry he could not comply with the request of the hon. Gentleman. A great point had already been gained—namely, that under one clause in the Bill, which had not been altered, baptism would be conclusive as to the religion of the deserted child, and it would be brought up in the religion in which it was baptized. It was, he thought, unnecessary to propose the reinsertion of the words struck out in the Lords'.

Sir GEORGE BOWYER said, he hoped the right hon. Baronet would not agree to the Lords' Amendments in the clause, and countenance what was not the law in Ireland—namely, that a child was presumed to be of the religion of the State. Mr. Blackburne and Mr. Brewster gave it as their opinion that a child ought to be brought up in the religion of the State, but they had not stated that such was the law.

Mr. VANCE said, that the hon. and learned Baronet was, no doubt, a sound constitutional lawyer; but he preferred the opinion of ex-Lord Chancellor Blackburne, the present Lord Justice of Appeal, and of Mr. Brewster, the leader of the Irish bar, who had each given it as their opinion that according to the law a deserted child maintained by the State should be brought up in the religion of the State. That was a far better provision than the clumsy principle proposed by the Bill as it originally stood, that the child should be reared in the religion of the policeman, or whoever else might happen to find it.

Page 6, line 11, the next Amendment, read 2°.

Motion made, and Question put, "That this House doth agree with the Lords in the said Amendment."

The House *divided*:—Ayes 75; Noes 12: Majority 63.

Subsequent Amendments *agreed to*.

Committee *appointed*,

"To draw up Reasons to be assigned to the Lords for disagreeing to the Amendment to which this House hath disagreed:"—Sir George Grey, Sir Robert Peel, Mr. Cardwell, Mr. Blake, Sir George Bowyer, Colonel French, Mr. Herbert, and Mr. Lefroy:—To withdraw immediately; Three to be the quorum.

Mr. Hennessy

JURIES BILL—[Bill No. 221.]

LORDS' AMENDMENTS.

Sir GEORGE GREY said, he regretted to find the Lords had agreed to an Amendment exempting veterinary surgeons and chemists from serving on juries. He had stated in Committee his objection to those exemptions, and he considered those objections had not been met in any way. Neither veterinary surgeons nor pharmaceutical chemists properly came within the general principle of exemption which applied to surgeons or physicians, who might be called upon at any moment to attend a patient. Besides, the pharmaceutical chemists were bound to keep an assistant qualified to make up medicines. If the exemption in question were granted to pharmaceutical chemists, ordinary chemists and druggists, who numbered over 40,000, would be coming next year to put in their claims. The exemption of those classes would only throw an additional burden on other Members of the community, and he should therefore move that the House do disagree with the Lords' Amendment.

Sir HENRY STRACEY said, he regretted that the Amendment should be objected to. The pharmaceutical chemists were an educated body. He hoped the Amendment would be allowed to pass.

Mr. R. HODGSON said, the pharmaceutical chemists amounted to only some 2,000 and odd, and it was very desirable that they should be exempted.

Mr. COLLINS said he objected to their exemption, on the ground that the burden, if taken off the pharmaceutical chemists, would be thrown upon other persons.

Mr. SCLATER-BOOTH said, it had always been the policy of the House to encourage an educated class of chemists, and he hoped therefore the Lords' Amendment would be agreed to.

Mr. NEWDEGATE defended the principle of excluding veterinary surgeons from those juries, as they were a body of men of very high attainments, and who conferred great benefit upon the community.

Page 1, line 13, the first Amendment, read 2°

Motion made, and Question put, "That this House doth disagree with the Lords in the said Amendment."

The House *divided*:—Ayes 53; Noes 53:—

And the numbers being equal, Mr. Speaker stated that this House having passed the Bill in a certain form, and the Lords having made an Amendment which it had been proposed to disagree to, he should support the Bill as passed by this House; and he therefore declared himself with the Ayes.

Subsequent Amendments read 2°.

Several *agreed to*, and several *disagreed to*.

Committee *appointed*,

"To draw up Reasons to be assigned to the Lords for disagreeing to the Amendments to which this House hath disagreed:"—Sir GEORGE GREY, Mr. SCLATER-BOOTH, Mr. BRAND, Mr. DODSON, and Mr. HUNT:—To withdraw immediately; Three to be the quorum.

NIGHT POACHING PREVENTION BILL.

[BILL NO. 204.] COMMITTEE.

Bill *considered* in Committee:—

(In the Committee.)

MR. W. E. FORSTER asked, whether the words "from sunset to eight o'clock in the morning" were yesterday expunged or inserted?

THE CHAIRMAN replied that they were omitted.

SIR STAFFORD NORTHCOTE said, that his hon. Friend (Sir B. Leighton) had prepared a clause as it would stand if the Amendments he proposed were adopted. The clause had been printed, and he would give copies to any hon. Members who desired to have them. The hon. Member for the Tower Hamlets had proposed to limit the operation of the Bill to persons who might be found coming from land on which the police had reason to believe they had been poaching, and who had in their possession instruments used in the taking of game. His hon. Friend accordingly proposed, that if a policeman found any such person with any gun, or part of a gun, or any nets or engines used in the taking of game, he might search him.

MR. W. E. FORSTER said, that if only two or three copies of the amended clause had been printed, that was a good reason why the Bill should be postponed. He should therefore move that the Chairman report progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided*:—Ayes 29; Noes 94: Majority 65.

MR. CONINGHAM said, that he was very much surprised to see Her Majesty's Government helping to pass the Bill. The noble Lord would find the great majorities which he obtained by the aid of the other side of the House sink from under him at the critical moment. All the subordinates of the Government, however, seemed to be against one another, not only on Indian finance, but on this Game Bill. ["Question!" *and* "Oh!"] He must do hon. Members opposite the justice to admit, that whenever the question of game was concerned, they "gave tongue" very loud. [*A laugh, and* "Oh!"] He did not know why hon. Members should interrupt him so constantly. He should move that the Chairman do report progress.

THE CHAIRMAN said, that the Committee had already decided that question.

MR. CONINGHAM said, he would then move that the Chairman do leave the chair.

MR. CLAY said, he had voted against the Bill on every division, and he admitted that he did not like it. It was certain that a very conscientious difference existed between hon. Gentlemen, but it could not fail to be clear that the Bill commanded the support of the majority of the House. He could not think that they ought to attempt to defeat the Bill *per fas aut nefas*, and he should not go into the lobby with the hon. Gentleman if he divided.

MR. CONINGHAM said, he would withdraw his Motion.

Motion, by leave, *withdrawn*.

SIR BALDWIN LEIGHTON said, he wished to leave out of Clause 1, line 17, the words "to apprehend any such person," and to the end of the clause, in order to insert an Amendment of which he had given notice.

Amendment proposed,

To leave out from the word "carried," in page 2, line 3, to the end of the Clause, in order to insert the words "also to stop, search, and detain any cart, boat, or other conveyance in or upon which there shall be reasonable cause to suspect that any such game, guns, parts of guns, nets, or other engines are being carried, and should they find any game or any such article or thing as aforesaid upon such person, cart, boat, or other conveyance, to seize and retain the same; and such constable shall in such case apply to some justice of the peace for a summons citing such person to appear before two justices of the peace acting for the county or borough within which the seizure has been made; and if the person so charged shall fail to satisfy the said justices that he obtained such game lawfully, or that he had such gun, parts of guns, nets, or engines in his possession for a lawful purpose, the said justices shall, on conviction, order the person so convicted to forfeit and pay any sum not exceeding five pounds, and shall forfeit such game, guns, parts of guns, nets, and engines, and direct the same to be sold, and the proceeds of such sale, with the amount of the penalty, to be paid to the treasurer of the county or borough where the conviction takes place; and no person who, by direction of a justice, in writing, shall sell any game so seized, shall be liable to any penalty for such sale."

Sir DAVID DUNDAS said, that in the Amendment of which the hon. Baronet had given notice it was proposed to give the police the power to stop "boats." He did not understand how a policeman could stop boats on the highway. Canals were not highways. The clause also made a difference between a good cause and a reasonable cause, and he thought that that would only give rise to legal quibbles.

Mr. COX said, he had an Amendment to strike out all the words from the word "aforesaid" in line 20 to the word "carried" in line 3, page 2, and he wished to know whether it would be competent for him to put it after the Committee had decided upon adopting the Amendment of the hon. Baronet.

The CHAIRMAN said, that at present the question was upon the Amendment of the hon. Member for Shropshire (Sir Baldwin Leighton).

Sir BALDWIN LEIGHTON said, that his object in moving the Amendment was to do away with the power of apprehending on the part of the police, and to substitute the power of detaining the poaching instrument, and of obtaining a summons against the parties, and he was in hopes that that proposal would have been acceptable to the majority of hon. Members.

Mr. COX said, he should like to hear from the Chairman whether he could move his Amendment if the Motion before the Committee were agreed to. He wished to take the sense of the Committee upon stopping, detaining, and searching carts, boats, and other conveyances.

The CHAIRMAN said, that the only question before the Committee was whether certain words should be retained as part of the clause; if they decided that they should not be retained, the hon. Member for Finsbury would be entitled to move his Amendment.

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Question proposed, "That those words be there inserted."

Mr. COX said, he would then move the omission of the words, "also to stop, search, and detain any cart," from the Amendment. He thought that no man ought to be liable to be stopped on a highway upon the mere presumption of a policeman that he was engaged in or contemplated the commission of an injustice. The police were already vested with too great power, and he objected to any additional power being vested in them. The clause would enable a policeman to levy black mail from all persons traversing the highways in a less humble conveyance than a brougham; and he certainly did think that if the object of the country gentleman was, as they pretended it to be, to prevent large gangs of persons from robbing estates of game and conveying it in the open day to railway stations, a less stringent and arbitrary mode of proceeding might be adopted. As the clause stood a commercial traveller proceeding along a country road with a few packets of tea might, unless the policeman were feed to allow him his liberty, be carried before a game preserving justice on the pretence that he was a poacher.

Amendment proposed to the proposed Amendment, to leave out the words "also to stop, search, and detain any cart."

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

The Committee *divided:*—Ayes 111; Noes 45: Majority 66.

Sir BALDWIN LEIGHTON said, that there was no objection to leave out the word boat, which was struck out.

Mr. COX said, he would then move to strike out the words "other conveyance" from the Amendment.

Amendment proposed to the proposed Amendment, to leave out the words "or other conveyance."

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

The Committee *divided:*—Ayes 121; Noes 35: Majority 86.

Sir DAVID DUNDAS said, he would propose to leave out "guns, parts of guns, nets, or other engines," and to insert the words "any such article or thing."

Amendment *agreed to.*

MR. HENLEY said, he strongly objected to any cases under the Act being heard before two justices of the peace except at the regular place of the holding of petty sessions, where the accused could be sure of having legal assistance if he desired it.

MR. AYRTON said, that by the Bill as it stood accused persons were required to prove their own innocence, which was a principle repugnant to English law. It was utterly indefensible that any individual who might happen to have in his possession any bird said to be game should be liable to an indictment for poaching. A man ought to be convicted only if it were shown that he had obtained game, or used his gun, nets, or other engine in an unlawful manner. In order to insert words to that effect, he would move the omission of the words "if the person so charged shall fail to satisfy the said justices."

Amendment proposed to the proposed Amendment, to leave out the words, "and if the person so charged shall fail to satisfy the said justices."

MR. COLLINS said, he would remind the hon. Member that in the manufacturing districts, if a person had worsted in a particular stage of its manufacture in his possession, without being able to show that he had obtained it lawfully, he was held to have stolen it.

MR. WALTER said, he should support the Amendment, because he believed that the power of searching persons or carts had hitherto always been confined to cases where goods were supposed to have been stolen. That was the principle in the case of worsted, which had been mentioned, and also of metal, fowls, and so on. But game was not yet recognised as property, and therefore the principle was not applicable. His object was to get game recognised as property, and then to deal with it as such. If hon. Members would take the trouble to read the Report of the Committee on the Game Laws in 1845, they would find that the witnesses on both sides concurred in acknowledging the importance of declaring game to be private property by law. That lay at the root of the whole question. They would never get really common-sense legislation on the subject until that principle was established. He could not support a clause which conferred the right of searching a man for stealing goods, and of requiring him to account for the possession of them, until those goods had been recognised by law as property.

MR. DARBY GRIFFITH observed, that dead game was property.

MR. WALTER said, that game was supposed to be the property of the person in whose possession it was until the contrary was shown.

MR. DARBY GRIFFITH said, he would further remark that live pheasants in a stew—that was to say, kept in a close place for breeding—constituted property.

MR. HENLEY said, that the principle involved in the Amendment was a very important one, especially after the change which had taken place in the Bill. He admitted that persons found at night with guns or game in their possession might be supposed to be engaged in some unlawful pursuit; but if the present clause were agreed to, any person walking along the road in the day-time with a gun or a basket of game might be summoned before the justices and compelled to prove his innocence. He was one of those who thought that the old principle of English law was the safest, that a man might hold his tongue and defy any one to prove him guilty. He should vote for the Amendment.

MR. W. E. FORSTER said, that his hon. and learned Friend the Member for the Tower Hamlets had performed what had appeared to him (Mr. Forster) an herculean task, in proposing a real improvement to a very objectionable measure. One great reason why he opposed the Bill was, that he had seen the evil of similar legislation in the worsted manufacture. It would be exceedingly easy for an innocent man to be proved guilty if the old and humane principle of English law were forsaken—namely, that a man should be held innocent till he had been proved guilty. Hon. Members must not think that all the game in this country came from their preserves. The poultry, game, and rabbits imported from abroad in 1860 amounted in value to £63,314; and giving all the margin due to the poultry, there was, doubtless, much game included in that sum. The remarks of the hon. Member for Berkshire proved that they were not in a position to make new and stringent Game Laws.

SIR GEORGE GREY said, he wished to have an explanation of the words "the person so charged," because no charge was previously mentioned in the Bill. It was contrary to all the principles of justice that a person charged with any offence should be bound to prove his innocence.

Sir BALDWIN LEIGHTON said, the words might be altered to "the person so summoned." By an Act of last Session, a person in possession of salmon, under certain circumstances, was bound to prove that the possession was lawful. Any person found with game in his possession could easily prove that he had come by it honestly and lawfully. A dealer in game could show his invoice, and a gentleman in his brougham with a basket of game could easily prove how he came by it. But, from the difficulty of identification, no conviction could take place if the *onus probandi* was thrown on the prosecutor.

Sir FRANCIS GOLDSMID said, he thought the argument, if worth anything, would be good for a general alteration of the law of England, requiring persons to prove their innocence and not requiring their accusers to establish their guilt. If, however, such a vital change were made in the law, it ought to be with respect to something much more valuable and important than mere game.

Mr. HENLEY said, he had told an hon. Member when the Bill was introduced that the "salmon party" was so strong there would be no difficulty in carrying it. He was opposed to similar provisions as to salmon in the Bill of last Session, but he found that opposition was useless.

Mr. CONINGHAM said, he opposed the Amendment, because he believed that the game dealers and preservers were great encouragers of poaching. ["No, No!"] "No, no!" Would hon. Gentlemen opposite deny that they were notorious purchasers (by their keepers) of pheasants' eggs well known to have been stolen from other preserves by the poachers who brought them for sale? He would suggest that the provision should be extended, so as to require game preservers to prove the lawful possession of eggs.

Mr. GARNETT said, he also wished to reprobate the practice of Gentlemen who wished to preserve game buying eggs. He hoped an expression of opinion by the House would discourage the practice.

Mr. W. E. FORSTER said, that as one of the Committee on the Salmon Bill of last Session which contained a provision similar to that under discussion, he wished to observe that he had so much to do that he did not observe the words, or else he would have offered opposition to them.

Mr. NEWDEGATE said, he would express a hope that hon. Members would be satisfied with the great step they would gain if that Bill should pass with the Amendment proposed by the hon. Member (Mr. Ayrton). He was anxious to check gang poaching, and he thought that the mere fact that such persons could be stopped and examined would have this effect; but he thought that it was very unreasonable to change the law of evidence in order to preserve game.

Mr. AYRTON said, he would appeal to hon. Gentlemen on the Opposition benches, as strong supporters in general of the principles of the common law of the country, not to make the Bill obnoxious by a departure from those principles, which would open the door to great abuse. He protested against the Salmon Bill when it was before the House.

Sir STAFFORD NORTHCOTE said, that after listening to all that had been said on both sides, he was not prepared to vote for the retention of these words, and hoped that the hon. Baronet would not press them.

Sir BALDWIN LEIGHTON said, he wished to point out that the Act to which he had referred applied to persons who might be found in possession of part of a fence.

Mr. DEEDES said, he thought it would be better not to risk the efficiency of the Bill by making it too stringent at first, at least.

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

The Committee *divided:*—Ayes 45; Noes 102: Majority 57.

Mr. AYRTON said, he would then move the insertion of words enabling justices to punish parties convicted of the offences indicated in the previous part of the clause in the ordinary way.

Mr. P. TAYLOR said, he could assure hon. Gentlemen opposite that out of doors the Bill was regarded as a very obnoxious measure. There was a strong feeling existing against it in the borough which he represented, and a requisition had been sent round calling a public meeting for Monday. He had also received a communication from Blackburn expressing indignation at the measure. He should move that the Chairman report progress.

Mr. NEWDEGATE said, that the existence of the Bill itself was a proof that the House of Commons was doing its duty.

MR. BONHAM-CARTER supported the Motion.

MR. CRAUFURD said, the Bill had been altogether altered. The Opposition thought, by a tyrannical majority, to force their unconstitutional measure upon the country. They did not see how they were digging the grave of their own Bill, and had been glad to retrace their steps till it amounted to nothing more than the present law of the land. What, then, was the use of proceeding with the Bill? It would be a mere useless rag of legislation added to the statute-book, the only new distinction created being that policemen were to be made into gamekeepers. Was it worth while to go in for that?

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:*—Ayes 31; Noes 110: Majority 79.

MR. CONINGHAM said, as it was one o'clock, and the game preservers, who were keeping them out of their beds for that precious Bill, would not guarantee them against being stopped and searched on their way home by persons of another description, he thought that they should not be the victims of the "tyrannical majority" any longer.

MR. W. E. FORSTER moved that the Chairman do leave the chair.

Motion made, and Question put, "That the Chairman do now leave the Chair."

The Committee *divided:*—Ayes 30; Noes 108: Majority 78.

MR. COX said, he did not rise for any factious purpose, but to appeal to the hon. Baronet (Sir Baldwin Leighton) to consent to progress being reported, in order that the House might have an opportunity of reading the Bill as amended.

SIR BALDWIN LEIGHTON said, that if the House would apply themselves for a quarter of an hour to the Bill, they might pass it through Committee.

MR. W. E. FORSTER said, he wished to take occasion to ask the hon. Baronet who had charge of the measure, whether it was desirable he should persevere with it, seeing that it had been connected with a Bill directed not only against night, but also against day poaching?

SIR BALDWIN LEIGHTON said, he intended to adhere to the Amendment made yesterday on the Motion of the hon. Member for Boston. He therefore could not reinsert the words "between sunset and eight in the morning."

MR. W. E. FORSTER said, that after the statement of the hon. Baronet, he must divide the Committee on the question that the clause, as amended, stand part of the Bill.

MR. CRAUFURD again urged the advocates of the measure not to persevere further with it, inasmuch as by the Amendments made in it, it became a wholly worthless Bill.

MR. BASS said, he would entreat the hon. Baronet who had charge of the Bill to consent to its being altered to a night poaching Bill, as it originally stood, instead of persevering with it as both a day and night poaching Bill.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 91; Noes 27: Majority 64.

Clause, as amended, *agreed to.*

Clause 2 (Sale of Game).

SIR BALDWIN LEIGHTON said, he would consent to withdraw the clause for the present, upon the understanding that no further opposition would be given to the remaining provisions of the Bill.

MR. HARVEY LEWIS said, he wished to understand whether it was the intention of the hon. Baronet to withdraw the clause entirely.

MR. SEYMOUR FITZGERALD said, his hon. Friend had said he would not press the clause at that time, upon the understanding that the other provisions were agreed to. If, however, those other clauses were opposed, he should reserve to himself the right of reviving it.

MR. WALTER suggested that the clause should be omitted. It was the most objectionable clause in the Bill, because it imposed conditions on the sale of game which did not exist with regard to the sale of other articles of food. He read an extract from the evidence of Mr. Brooke, a large dealer in game, who was examined before the Committee in 1845, and who, in answer to a question put by Mr. Bright, objected to any restriction whatever on the sale of game. His evidence was as follows:—

> "I am of opinion that the game trade would be best free; that there should be no licensing with regard to the sale of game. I should look upon game as property. I should look upon

pheasants and partridges, and hares and rabbits, with as much respect, as property, as chickens and ducks; and I hope that that may one day be the case; that a gentleman having pheasants may call them his own, and that no man would have a right to take them; and that the salesman who receives them as stolen goods should be punished like any other common felon for doing so. I should like to see that."

And in the next answer he said—

"I still live in hope to see the day that a gentleman may be enabled to preserve game as he may his deer, or whatever may belong to him, which I conceive to be his right. I have always felt that a man who takes a pheasant takes a gentleman's property."

He hoped, then, that the clause would be omitted from the Bill.

Clause *struck out.*

Clause 3 (Operation of Act).

MR. CRAUFURD moved that the words "Great Britain" be struck out of the clause and "England" inserted instead, with the view of confining the operation of the Bill to England only.

Amendment proposed, in line 31, to leave out from the words "thirty-two," to the words "sixty-eight."

Question put, "That the words proposed to be left out stand part of Clause."

The Committee *divided:*—Ayes 86; Noes 17: Majority 69.

Clause *agreed to.*

SIR BALDWIN LEIGHTON said, he proposed to move a clause defining what game meant.

Clause *brought up*, and read 1°; 2°.

SIR JOSEPH PAXTON moved, as an Amendment, to exclude "rabbits" from the clause.

Amendment proposed, to leave out the word "rabbits."

Question put, "That the word 'rabbits' stand part of the Clause"

The Committee *divided:*—Ayes 78; Noes 16: Majority 62.

Clause *agreed to.*

MR. STANILAND proposed clauses for the recovery of penalties and the prevention of *certiorari* for the removal of any conviction or order made under this Act.

Clauses *agreed to.*

SIR BALDWIN LEIGHTON moved a clause respecting the power of appeal.

Clause *agreed to.*

House *resumed.*

Mr. Walter

Bill *reported*, with Amendments; as amended, to be considered on *Monday* next, and to be *printed.* [Bill 232.]

COURTS OF THE CHURCH OF SCOTLAND BILL.

[BILL NO. 197.] SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. CRAUFURD moved that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Tomorrow.*

House adjourned at Three o'clock.

HOUSE OF LORDS,

Friday, July 25, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Polling Places (New Shoreham, &c.); Poor Removal.

2ª Fortifications (Provision for Expenses); Highland Roads and Bridges; Militia Ballots Suspension; Excise Duties.

3ª Indemnity; Jamaica Loan (Settlement); Merchandise Marks; Turnpike Trusts Arrangements; Windsor Castle (Bakehouse).

FORTIFICATIONS (PROVISION FOR EXPENSES BILL)—[BILL No. 215.]

SECOND READING.

Order of the Day for the Second Reading read.

EARL DE GREY AND RIPON, in moving the second reading of the Fortifications (Provision for Expenses) Bill, said, he would not trouble their Lordships with any general argument in favour of the scheme of defensive works already adopted by the Government and submitted to Parliament. Their Lordships would remember that a Commission, composed of officers of high standing and professional reputation and great scientific attainments, was appointed at the end of 1859. They made an investigation on the spot of the existing defences of the country, and reported their recommendations to Her Majesty's

Government. That Report received the most careful consideration from the Government. In 1860 the plan proposed by the Government was laid before Parliament, and received the sanction of the other House of Parliament by large and repeated majorities. The Bill passed their Lordships' House with almost perfect unanimity. Parliament, having thus adopted and sanctioned this plan, it seemed to him that it would neither be wise nor desirable to stop in mid career the undertakings commenced under that sanction, unless it could be shown that any circumstances had taken place during the last two years which proved either that they were inadequate or unsuited to the purpose; or that, on the other hand, the danger against which it was intended to provide had already passed away. The proposal of the Government at the time of which he spoke involved the construction of extensive fortifications for the defence of the principal forts and arsenals. The sum of £2,000,000 was voted on account, to enable the Government to commence the works. That sum would be, in a few months, entirely expended, and it was therefore necessary to come to Parliament and ask for a further sum towards carrying on the works, but, of course, within the total amount submitted to Parliament in 1860. In order to carry out the defences agreed upon, land had been purchased for the erection of works, and rights of clearance had been obtained over other adjacent lands, which were necessary to keep them free from obstruction. The land having been obtained, the works were commenced without delay. At Portsmouth the forts included in the plan had all been commenced; at Portsdown the works had made considerable progress; and at Spithead the foundations had been commenced, but the construction of the forts had for the present been suspended. At Plymouth the works of the sea defences had been commenced and advanced, and land had been acquired for the defences at the north-eastern position, though the works had not been commenced. At Pembroke the fortifications had been proceeded with so far as the plans had been determined upon. At Portland new works were in course of construction. Land had also been provided for the site of the forts for the defence of the Thames and Medway. The new works for the protection of Chatham and Sheerness had not made so much progress; but with these exceptions the various works were in different stages of progress. The sum for the present year which it was proposed to raise by this Bill was £1,200,000, which would be devoted to the carrying-on of those works which had received the sanction of Parliament. Considering the necessity for adequate supervision by the Engineer officers and the great demand upon the services of that corps at present, it was impossible to proceed with all the works at the same time or in the same degree, and therefore it was not proposed to take any money this year for the construction of a portion of the defences of Chatham, or of the intended central arsenal. These proposals were postponed, though not abandoned. At Spithead, also, the Government had determined not to proceed with the forts at present, although the suspension of these works involved the loss of the best period of the year, and had led to the expenditure of a sum of money which would otherwise have been saved. Pending, however, the experiments which were going on, the Government had thought it better not to continue the erection of these forts, and they did not propose to recommence them until they had had an opportunity of obtaining the opinion of Parliament in another Session. Under these circumstances, he did not anticipate that their Lordships would refuse to pass this Bill. The money to be raised under the Bill was for the purpose of carrying on works already proposed and sanctioned by Parliament, and which, in the judgment of Her Majesty's Government, were still as necessary for the defence of the country and the security of our ports and arsenals as they were considered to be in 1860. He knew of nothing that had since occurred which was calculated to alter the views previously expressed by their Lordships or the other House of Parliament. He therefore moved the second reading of the Bill.

Moved, That the Bill be now read 2^a.

THE EARL OF ELLENBOROUGH:—My Lords, I approve the general object of this Bill, and I do not object to the manner in which it is proposed to raise the funds for carrying into effect the plans of the Government. The object I understand to be to extend and improve the works of defence around our dockyards and arsenals, so as to adapt their means of defence to the improvements which have taken place in the means of attack. I quite admit that it is only reasonable that the cost of these permanent works should be diffused over a certain number of years, in order that those who may hereafter derive the benefit may pay a portion of the expense. As regards the details of the measure, I am not in a position, nor are your Lordships, I think, in a position to form any judgment. Unless we were to go to the localities themselves, with the plan in our hands, accompanied by the Engineers who recommend the works, and what I should like still more, by other Engineers of whom we might make inquiries, it would be impossible to form a correct judgment of the efficiency of the plans proposed, or of the accuracy of the estimate of the intended expenditure. I must, indeed, express a hope that the Government have not acted on the sole opinion of the Engineer officers employed. I trust that some one of them possessed of common sense has brought his common sense to bear upon the scheme, especially to test the general propriety of the plan, the apparent sufficiency of the estimates, and the general fitness of the details ; and in the hope and expectation that Her Majesty's Government have well considered the propriety of what has been done, I am content to leave the responsibility of the details with them. But, my Lords, I cannot approve the manner in which these works are being carried on by the Government. I see by the schedule that sixty different works have been undertaken, and that of these sixty, only seven are to be completed within the year. I observe that only £500 are required to complete the lines at Devonport; and yet for this small sum those works are left unfinished and exposed. There is either a breach which an enemy might take advantage of, or the whole extent of the works is in an unfinished state, so that the enemy might walk over them. I think, my Lords, that is a great defect. There is a still greater defect in respect to the more important works at Stokes Bay. A sum of £9,000 would completely finish the works, which protect Portsmouth at that most exposed point. Yet nothing is to be done this year with that object. It is a fact that a sum of £30,500, in addition to the £1,200,000 now asked for, would give the Government the means to complete no less than eight additional works within the year. I object altogether to a system of proceeding by which works, which are of urgent national necessity, instead of being expedited, have their completion deferred for five or six years. The improvements in artillery, the great improvements in steam ships of war, and now the construction of iron ships, render it absolutely necessary that we should proceed without delay, by employing all the energies and resources of the country in removing the danger to which we are subjected in consequence of those great changes. If the sea were to make a breach in a sea wall, no one interested in the lands about to be inundated would be considered to have made a judicious arrangement if he had determined on repairing the breach by works extending over five or six years—he would apply all his energies to removing the danger at once. In the case of a fire, no one would be considered wise who delayed taking the necessary measures for the safety of his premises, and who should content himself with throwing buckets of water upon the conflagration, instead of turning a stream upon it to put it out. My Lords, if there is no urgent and pressing danger to the country, there is no ground for this Bill ; but if there is—and no doubt there is—urgent ground for this Bill, then all the energies of the country ought to be called into requisition for the purpose of completing these works and fortifications, and so at once meeting the danger. And now, my Lords, with regard to iron ships. I am quite astonished that the Government should be satisfied to allow the work of constructing iron ships to remain in the position in which it is. Superiority in iron ships now involves the superiority on sea, because no wooden ship can meet an iron ship. No ship can with impunity meet another ship, if that other ship can with impunity throw shells upon her deck. Before the invention of iron ships, the throwing of shells by two ships would have been fatal to both. Now, if a wooden ship and an iron ship meet, it will be fatal to the wooden ship only. Therefore it is essential that we should have a superiority in iron ships, in order to recover our superiority at sea, which temporarily we have lost, and on the maintenance of which depends, I may say, our existence as an independent Power. I believe it to be the fact that France has more iron ships than we have. If that be so, it is incontestible that the superiority at sea has passed from us to France. To recover that superiority it is essential that we should become, not only equal to France, but superior to France in the number and strength of our iron ships. It must be remembered that in consequence of the extent of our colonies, and the number of our ships trading in all parts of the world, we have a much greater demand on our navy than France has on hers; and, therefore, although in wooden ships we may be superior to France, our wooden ships are not as available for concentrated action as those of France. Again, France has now much greater facilities than we have for suddenly manning her ships in time of war; and therefore on the sudden breaking out of hostilities she would have a very great advantage over us. And, my Lords, it is not only iron ships that we require. We also require to a very great extent new and much more extensive docks and basins for the purpose of repairing ships of war in times of hostility. I read the other day with very great interest, and I hope advantage, a pamphlet on the subject by Captain Denman. I advise all your Lordships to read it, and I have no doubt it will attract the attention of the noble Duke at the head of the Admiralty. I do trust, my Lords, that the Government will feel the necessity of providing more extensive docks and basins without further delay, and will take into immediate consideration the means of providing them. When I was for a very few months in the office now held by the noble Duke (the Duke of Somerset), I asked whether some means could not be devised by scientific gentlemen and machinists for applying the power of the steam-engine to the excavating of earth and the carrying of it away. I saw the importance of improvements in this direction, owing to the enormous cost of works of the character to which I am now endeavouring to direct the attention of the Government. It is the enormous cost of the works necessary in the construction of docks and basins which deters Her Majesty's Government from doing that which is absolutely essential to give efficiency to our navy in time of war. The forts at Spithead, of which we heard so much some time ago, do not appear in this Schedule. I do not accuse Her Majesty's Government of having thrown them over without sufficient reason. I know that they made a "a strategic movement" with regard to those fortifications. I share with them in the regret with which they must have abandoned that portion of the scheme. I remember the time when 300 or 400 sail of merchantmen were waiting for convoy at that place; and, should a similar emergency arise, the persons interested in those ships will most earnestly desire to have the protection of forts at Spithead. If Spithead should ever become a field of battle, as it is very probable that it will, those forts would be of very great advantage. Within the circle of their fire, those forts would practically make a lee shore to an enemy's fleet, and give a clear channel to ours. They would give us the command of one-third of the field. If in a game of chess black was confined to three-fourths of the board, while white could move his pieces over the whole board, it will be admitted that white would have a good chance of winning. That is precisely the case of the forts at Spithead. The opposition to those forts was made on the ground that iron ships would afford us better protection; but we have given over the forts, and we have not heard of the iron ships. The patriotic Gentlemen who were anxious to have iron ships in preference to forts must feel disappointed when they find, that though the latter have been given up in the case of Spithead, there is no additional grant asked for what they proposed as a substitute. With respect to Portsmouth, I beg your Lordships to bear in mind that its importance is not confined to its possessing a very great dockyard. It is the most important point for an enemy to take possession of as a *tête-du-pont* in case of war, with a view to prosecuting measures of serious invasion. Therefore on that ground, as much as because it is a very great dockyard, I am most anxious it should receive every protection from fortifications and works which it is possible to give it. Then, again, as regards railways and steam—railways and steam have produced a complete change in the whole character of warfare. They give an inestimable advantage to the Power that takes the initiative. In cases of unsuspected and sudden attack they give a power of concentration which in war is invaluable, and which, if possessed by an enemy in former times, when only sailing ships were in existence, would have given a very different turn to affairs. Under these circumstances it is of the greatest importance that the measures suggested by Her Majesty's Government should receive the careful consideration of your Lordships. Under any circumstances I should be of that opinion; but I will entreat your Lordships to consider the novel and very unfavourable position in which we should be placed at this time should we be compelled to enter into a contest with France. In former wars—in the last two wars almost invariably—we had an alliance with one or more of the great military Powers of the Continent. To a great extent that caused a diversion in our favour, and divided the thoughts of our great enemy whenever he may have desired to attempt an invasion of this country on a great scale. We now know, that had it not been for the war with Austria in 1805, which made it necessary for the Emperor otherwise to employ troops who were to have sailed from Boulogne, an attempt would have been made against us. In 1809 Austria drew out of Spain a large force, and greatly contributed to our success in that country. There was always some Power which came to our assistance. It would be otherwise now. If we engaged in a war with France, we should be absolutely alone. It would be impossible for Austria, debilitated as she now is, whatever her ancient spirit, to engage in any but a defensive war. Russia is at present excluded from taking a part in the affairs of Europe by the state of Poland; and, besides, I deeply regret to observe, she is occupied at home by combinations, by conspiracies, which have taken the most odious form, for the parties are endeavouring to achieve their objects by incendiarism. The generous feeling of the Emperor, which caused him to desire the emancipation of the serfs, and induced him to produce a measure for that object perhaps not perfectly matured, has led to so great a social revolution that it is idle to suppose that under any circumstances Russia can move to our support. Prussia and the Zollverein remain; their condition is different, but he must be a sanguine man who would hope anything from Prussia. A sense of their own interests being endangered by our fall might, indeed, lead these Powers at last to come forward; but they would never move in time to prevent a disaster, although they might possibly contribute to redeem it. Therefore, almost for the first time, we shall be left wholly alone in a contest with France. France has greatly increased in strength since the last European war. She has a vast population, united under the Government of the Emperor. She has a revenue which is equal, if not at present superior, to our own, and, in consequence of the cheapness of provisions and other advantages, it will produce much greater results. But would France be alone? Would not the difficulties of England afford an opportunity for other nations to join against her? Can any one doubt, if the present conflict across the Atlantic were to terminate at a time when we were engaged in war with France, that the French fleet would be joined by the American? Filled with resentment for a non-existent hostility to them—the most false and unreasonable notion that ever was entertained, for at the commencement of the contest no people could have felt more kindly than we did towards the whole American nation—and with this exasperated feeling propagated and extended by all the efforts of their press, we cannot doubt that on any favourable opportunity we shall have to encounter the hostility of America as well as that of France. I have no doubt on this subject; and I offer the consideration to your Lordships as one of the greatest gravity. What is the present force of France? She had at the commencement of this year 447,000 troops under arms. It was intended to reduce that force to 400,000; but within a few days a further Vote has been asked for, in consequence of the effectives exceeding the number of the establishment; and there can be no doubt, that in consequence of the demands of the Mexican war it will be impossible for France to carry out the contemplated reduction. About 100,000 of the French army are employed in Algeria and the East and West Indies, and there remain at home 300,000. Of these, without the slightest danger, 200,000 can serve beyond the limits of their own country; and on their passing the frontier 200,000 soldiers of the reserve, equally fit for war, can be brought forward in the course of three weeks in augmentation of the depôts of the existing battalions. The force within the boundaries of France is thus raised again to 300,000, in addition to the National Guards, who number 265,000. This, my Lords, is the force with which France threatens—permanently threatens Europe. What is the force which we have to oppose to it? I will not talk of numbers, but of battalions, which are intelligible, and which of course would have artillery and cavalry attached to them. In all England we have, if I mistake not, forty-three battalions; and if every one of these was full to its proper complement, and if we abandoned Ireland, Portsmouth, Plymouth, Chatham, Dover, and every one of these forts which we have created, and brought every man we have as a regular soldier to the defence of London, we could not by possibility muster more than 43,000 regular infantry. That is a very dangerous state of things, even upon paper; but we know that in point of fact not more than 30,000 men could be brought into the field. Then we have in addition 60,000 militia, effective and drilled. We ought to have a great many more; and if, in agricultural districts, country gentlemen would exert themselves, we should have double that number. It is to my noble Friend below me (the Earl of Derby) that we owe even the present state of the militia, for before his time nothing had been done to render that force efficient. We have also 15,000 yeomanry—excellent men, but not efficient for war; and, lastly, we have, I will not pretend to say what number of Volunteers; but we have altogether a force of irregulars estimated at 200,000. These battalions, however, except a few in the neighbourhood of London and other places, are not at present in a state in which any general could venture to put them in the field. More drill and discipline, and a little more money applied by the Government to good purposes where so much is thrown away upon bad, would give us the effective services of that large body of men, and place us in a state of the most absolute security from foreign invasion. With a desire for that absolute security I combine, as far as may be consistent, the strongest wish for stringent economy in all the departments of the State. But economy we have not heard of for many years. I recollect very well, when the late Lord Grey formed his Government, one of his pledges to the country was to reform the expenditure; and he thoroughly performed his promise. The Duke of Wellington was an economical Minister; Sir Robert Peel was likewise economical; but I never heard that the noble Lord at the head of the present Government added economy to his other claims on the confidence of the people. The result is, that in all directions new charges have grown up, the amount of which in the aggregate is enormous; and it is these immense charges on the revenue which make the public so unwilling to lay out money for defensive purposes of the most essential value. Even as regards the army, I cannot help thinking we ought to consider whether it is absolutely necessary that we should have by far the dearest army in the world. I know that about one-half of its cost—all that relates to the pay of officers and soldiers, and to half pay and pensions—cannot be reduced; but, as regards the other half—the cost of the army departments—amounting to £6,500,000, we ought to see if an efficient economy cannot be practised. I will only take one point in illustration of my meaning. Attached to the army, small as it is, in different parts of the world, there are no less than 3,000 persons, military and civilians, employed for the purposes of conducting the several departmental services. In the single office of my noble Friend the Under Secretary of State there are no less than 500 *employés*—a number which appears enormous. I know that with that office, most unfortunately, various other offices have been consolidated, and I can only suppose that into it have been carried the undiminished staffs of all these others. The magnitude and variety of the duties devolving upon the Department render it almost impossible to exercise any very efficient supervision over its internal administration. I have looked through the salaries, and I do not see that a single man receives more than the services which he performs, if they are really necessary, fairly deserve. But I do question the necessity of such a large number of officials, and in that direction I think economy may fairly be introduced. I wish a reduction in the numbers, not in the salaries. We have also a vast educational army. At the beginning of the Session Her Majesty's Ministers endeavoured to reduce its costliness; but strong reasons were given for its maintenance. It at present consists of upwards of 35,000 persons, stalwart men and strong-minded women; and about 4,000, or rather more, may, it appears, be expected to be annually added to that number. That educational army alone absorbs a sum which would place in a state of the most perfect efficiency the whole of those 200,000 irregulars, whose discipline is now exceedingly imperfect. I do think that this is a consideration which ought to be weighed by Her Majesty's Government. If we could give to ourselves entire security from the foreigner by our internal strength, we should be enabled to exercise an influence which we cannot now possess for establishing real peace upon the continent of Europe. We have had no real peace since the Revolution of 1848. We have had an armed truce broken by two great wars. There has been from that period to the present in the minds of all men great uneasiness, and a distrust of the future which has greatly impaired our enjoyment of the present. All States, I believe, without exception, have been compelled, or have thought themselves compelled, to incur great debts for the purpose of enabling them to maintain their security by arms. At the present moment Austria is to the last degree crippled by the debt which she has contracted with that object. Russia is coming into similar difficulties. Even France, which appeared so strong and so powerful in finance as well as in war, has heard of the approach of financial difficulty; and that financial difficulty has been met by an acknowledgment of error on the part of the Government, and by a very material change in the constitutional dealing by the Parliament with the public expenditure of the country. My Lords, that is a very exceptional and very dangerous mode of meeting a financial difficulty. It cannot be so met a second time. Your Lordships know well that financial dificulties are almost invariably the forerunners of political change. My Lords, we have now, owing to the Mexican war and the demands which that war makes upon the force of France, a respite of one year. I do trust that that time will be employed by the Emperor and others in salutary reflection. All Europe requires rest, and France alone can give it; France can give it, not by an oratorical declaration that "the empire is peace," but by substantial proof that peace is the object of the French empire; by the reduction of dangerous and threatening establishments that she may obtain, and we may obtain, the best fruit and most perfect guarantee of peace. I can hardly think that that feeling can be absent from the mind of the Emperor himself. He owes more to his people than any Sovereign in history ever owed before. They adopted him as the representative of a great name; they gave him their affection and confidence before they had an opportunity of knowing him; they have supported him throughout, giving him their men and granting him their money, and I do trust that he will feel that he will best show his gratitude to them and best promote their interests, not by raising vain notions of the repetition of conquests which have disappeared, and vain ideas of ambition; but by making them, as they may easily be made, the foremost in the race of social improvement, and the benefactors, as they have so long been the scourges, of mankind.

The Earl of Ellenborough

THE DUKE OF SOMERSET: My Lords, I should not have followed the noble Earl in this debate had he not alluded more especially to the Department over which I have the honour to preside. He has compared the expenditure under the present Government with the expenditure under the Governments of Earl Grey and the Duke of Wellington. If the noble Earl really wishes to go into that question, I will undertake to prove to the satisfaction of your Lordships that the apparent economy of those days arose chiefly from the smaller cost of the army and navy. The real fact is that changes in construction and in armaments have imposed upon us the necessity for a very much larger expenditure. Compare for a moment a vessel armour-plated and steam-propelled, as we have them now, with the sailing vessels which were models in 1832 or 1833. It is evident that the great changes that have taken place must have led to greatly increased expense. Everybody knows that vessels cost three or four times as much now as they did then, and that increase applies not only to their original construction, but also to their maintenance and repair. It is, therefore, quite idle to compare the expenditure upon the navy of the present day with the cost of the navy in the days of sailing vessels. The noble Earl has pointed to the fact that the army and navy of this country cost more proportionally than those of other countries. It is quite true that our navy costs more in proportion than that of France. Not long ago, when the last Returns of the expenditure on the French navy were received, I had an accurate calculation made of the comparative cost of ships of about the same size in our navy and in theirs, and it was found, that while the wages paid on board one of our 90-gun ships amount to £28,000 a year, the sum paid on the same account on board a French vessel of a similar class is under £19,000. But is our navy overpaid? On the contrary, everybody maintains that our sailors are not overpaid; and so little is it thought that the pay of our officers is excessive that there is at this moment before the House of Commons a notice of a Motion to obtain an increase of their remuneration; and only a year or two ago a pressure, in which the right hon. Gentleman who preceded me in office (Sir John Pakington) took part, was put upon the Government to secure a similar object. Therefore you cannot expect to make any saving by reducing the pay of your officers or seamen, or by diminishing the cost of your vessels. Then says the noble Earl, "it is your officials which absorb the money;" and he points to the War Office. It is quite true that both the Admiralty and the War Office are very large departments. An immense number of clerks are required in both of them; but I quite agree with the noble Earl that those gentlemen are by no means overpaid. They give their whole lives to the service, rising to emoluments which are but very small; and if it was not for the honour of serving the Crown, instead of being engaged in commercial houses, I believe that an adequate supply of able men would not be found to meet the wants of our public offices. Why do we employ so many clerks? I will tell you. It is required that there should be the means of giving accurate information on all matters connected with the navy, in any and every form which Members of Parliament may desire, and also accurate returns of every detail of our expenditure. Only about a year ago we at the Admiralty were very much pressed to give a balance-sheet like a mercantile account, showing every single item of expenditure upon the navy. There is no doubt that it can be done; but it involves the labour of an immense number of clerks, and of many men of high position in the Department; and if such a return is to be prepared, the country that requires it must pay for it. Then, as to the cost of building. Considering the great strength of our ships, I do not think that any money is thrown away upon them. We have tried building by contract as well as in the yards, so that the relative expenditure might be ascertained, and I do not think that we could build them much cheaper than we do. The noble Earl says that we ought to have a great many more iron ships. Upon that subject I have often addressed your Lordships, and have shown the difficulties which attend any advance in the rate at which we are building iron ships. We have, at the present moment, building at least ten or twelve different kinds of iron-plated ships—different sizes and different forms of vessels—in order that we may arrive at one which will be a good vessel without being a very costly one. We have also attempted to reduce the size of our vessels; and if we succeed in that respect, it will go far to meet the difficulty suggested by the noble Earl as to docks and basins. If we can reduce the size and draught of water of our ships, we shall clearly avoid the great expenditure on those works, which will be necessary if we continue to build vessels of the present large size. Many naval men think that smaller vessels will be as effective, and for many purposes more effective, than large ones. Others undoubtedly think that our largest vessels are only just large enough, and ought not to be diminished in size. These are questions which you can only solve by experiment; and that experiment we are making. The noble Earl asked, "Why, when you stop your forts, do you not replace them by ordering more iron ships?" I think that, as a rule, supplemental Estimates for adding to the strength of the navy are objectionable, because they produce a feeling not only in this but in other countries which it is undesirable to excite. Last year I did come to Parliament and asked for more money for iron ships; but when I got it I was not able to spend it, because the contractors could not produce iron plates at the rate at which they were required. The consequence was, that although Parliament gave me all the money I sought, I was unable to expend it in the year, because the iron plates were either not prepared or were found to be so unsuitable that they had to be returned. Under those circumstances, as we were continually trying new contractors, in order to learn whether they could produce the sort of plate which we wanted, and as it was doubtful whether we could get it immediately, I did not think it advisable to ask Parliament for more money for that purpose. The labour of the dockyards is, however, now applied to the construction of iron-plated vessels, which competent naval judges assure me will be very powerful and effective. The noble Earl said he would like to visit the various fortifications, accompanied by the Engineers who planned them, and by another Engineer qualified to criticise them. For my own part, I never found two Engineers in a Select Committee who were not prepared at a moment's notice to express diametrically opposite opinions on almost any question; and I have no doubt that if the noble Earl made the tour in question in the company of two Engineers, he would have very different views as to the works. Taking a deep interest in this question, I have myself visited the various forts along with the Engineer officers who have charge of them, and I can bear testimony to the energy and zeal with which they are carrying out the plans intrusted to them. The alterations which have taken place in the mode of attack rendered it indispensably necessary to make corresponding alterations in the mode of defence. Any one who has seen the old defences of Portsmouth, and compares them with the modern means of attack, will admit that it was necessary that they should be altered, and that is really what is being done there. In other places the works are required to defend the entrance to harbours, and I believe that these fortifications are the cheapest mode of defence that under the circumstances of modern warfare can be adopted.

THE DUKE OF CAMBRIDGE: My Lords, I am sorry to prolong this discussion, but I think it would be unbecoming if I did not add a few words to what has already been said. I do not intend, in any respect, to enter on those political questions which the noble Earl has treated so ably and eloquently. I shall confine my remarks to those portions of the subject which are of a purely military character. I entirely agree with what my noble Friend has said as to our present force. It is a well-known and unquestionable fact that the force at home is really very insignificant for a great country like this. The Government are not, however, to be blamed on that account, for it is equally well known that there is a great indisposition, perhaps not unnaturally, throughout the country to add to our military expenditure. Now, it is perfectly impossible to maintain a large, even a moderately large force, unless the country is prepared to spend more money. Of course, every item of our military as well as of our other establishments—the smallest equally with the largest—should be subjected to the most searching economy. I am perfectly sure, that if any expenditure can be pointed out which is capable of reduction without mischievous consequences, neither the Government nor myself will for an instant shrink from applying ourselves to diminish it. But I am bound to say that having gone carefully over the Estimates for successive years, it appears to me impossible to reduce the cost of the service without impairing its efficiency. Of late years a good deal of additional expenditure has been incurred which has not been called for by us, but which has been demanded by the country, although I admit its value and am glad that it has been granted. I rejoice at these great and necessary improvements; but still they add considerably to the expenditure. Look at the sanitary arrangements in the barracks, for instance. The outlay for barracks is now double or treble what it was some years back. It has been much the same with other parts of the service. When I first entered the army, there was no Military Train; there were no proper Military Hospital Corps; there was no Commissariat Corps. Heavy expenses have been created by these and other improvements; but then they have greatly augmented the efficiency of the service, and have enabled us to send out our armaments in a manner which has excited general satisfaction. If you were to strike off the expenditure for these objects, it would very much lessen the value of the establishments. If the noble Earl will look into these things, he will find that it is much easier to say there is extravagance than to point out exactly where it prevails. My noble Friend has complained of the large number of clerks in the War Office. I believe it would be found on inquiry that a third, if not a half, of these clerks are engaged in Returns connected with questions arising in the other House of Parliament, involving in many instances an enormous amount of detail. I do not object to that, but it is right to mention it on the present occasion. I quite agree with my noble Friend as to the amount of forces at our disposal. My noble Friend says that the infantry and artillery at home are much below the amount he would like to see. It is quite true that the infantry are much below what I desire, on the ground of humanity only. I should like to see an increase in the infantry, not merely in order to keep a greater force at home, but to insure the more regular relief of regiments on foreign service. I have endeavoured to make it a rule that every regiment should have a third of its time at home and two-thirds abroad. I do not think that either House can consider that an extravagant regulation; but we have never arrived at that point since I have had the honour of holding my present position. We have never had one-third of the infantry at home and two-thirds abroad, but, on the contrary, we have always been very much below that standard. The consequence is that in our arrangements for relief we are extremely hampered. It is not at all easy to find a regiment that has been the proper period at home to justify its being again sent abroad. I should be glad, therefore, if it were possible, to have an increase of troops, if it were only to obviate that difficulty. Considering the greatly-increased facilities for moving troops which now exist, and the number of troops which we have at hand to resist an invasion should it come, I must say that the subject now before your Lordships deserves the most serious and the most attentive consideration. I have always believed that any invasion of our shores will be sudden and unexpected, and that is the reason why I have always so strongly advocated the construction of forts. If we had a large force at hand to cope with the enemy, I would not think of shutting up valuable troops in forts. The proper course would be to take the field against the enemy. But when we find that our available force is composed largely of irregulars, with but a small nucleus of regulars, then I say that forts alone could give adequate support to troops so circumstanced, however excellent might be their disposition, and however devoted their loyalty, and however desirous of doing their duty. It would be unfair to them to take them into the field, unless we have the means of supporting them by forts. It is on that ground that I support the present measure. Taking all things into account, the Government have perhaps acted prudently in postponing the Spithead forts. I see, however, many reasons to regret that decision. I see no reason for changing the opinion I have before expressed. I believe that ultimately these forts must be constructed, and I apprehend that the delay will only lead to increased expense for no useful purpose. Next year we shall not be a whit better able to judge of this matter than we are now. As to the other works, I agree with my noble Friend that it would be better to throw all our strength on the most important works, if it could be done. But we are unable to keep a large body of men constantly employed at one place, because we have not sufficient accommodation for them and because the work requires consolidation. We are therefore obliged to do as much as we can at all the works instead of keeping the entire strength of the men employed on any one place. I have thought it right, upon the whole, to make these observations, and I can only say again, that I am sure no subject can be brought before the House of greater importance than that which has been so ably handled and elucidated by the noble Earl. I hope and trust, that while we are anxious for the economy which all parties naturally desire, we shall not lose sight of the fact that we cannot attain efficiency unless we spend money upon such objects and for such purposes as are essential to the interests of a great and powerful nation.

THE EARL OF MALMESBURY: My Lords, the result which is obtained by wise measures of prevention is often used as an argument to prove that those measures are useless. I am not, therefore, astonished that there are many persons who say that any fear of war is idle and that we are incurring useless expenditure and that Her Majesty's Government have found many opponents to the Bill now before your Lordships. But, as far as I am concerned, I rejoice that they have brought in this Bill, although it is considerably docked from what Her Majesty's Ministers were prepared to recommend; and I rejoice because it not only insures the safety of the country, but saves the country and Parliament from the discredit of having abandoned a course which only two years ago they determined to pursue. I observed with considerable apprehension that persons who, two years ago, were impressed with the necessity of these defences, and satisfied with the mode of raising the money, had changed their opinions. If these altered views had generally prevailed, there can be no doubt that Parliament would have discredited itself, that England would have been held up to other nations as one which did not know its own mind and alternated between fever fits of panic and sordid economy, and that this country would have lost the high character which at present it enjoys, that whatever is thoroughly considered will resolutely be carried into effect. There is a class of objectors who declare that there is no danger whatever, and that invasion is all but impossible. They say that everything is smiling about us, that the Emperor of the French has been ten years on the throne without attacking us, and that what never has been done never will be done. But, while I thoroughly believe that the present Emperor has never harboured a thought of attacking this country, the Emperor is not immortal, and may be succeeded by another with different views and a different policy. It is not the Emperor of the French whom we have to fear; but we must remember that the same country over which he rules, and over which his predecessors have ruled, contains a people fickle in purpose, yet warlike in character, who often and often have urged their Sovereigns to war with this country. It may happen again, and we must be prepared against a nation having such dispositions. If we are securing ourselves, it is not against the Emperor, but against the greatest military nation in the world. It has been said that not only is there no danger of invasion, but that invasion has never been threatened of late years ; and they go so far as to say that the First Napoleon never intended really to invade England. There are numerous papers and documents which show that the idea of no invasion being intended is a complete delusion ; and history proves that not only was the intention present in the mind of the First Napoleon, but that his military mind comprehended the means that would be necessary down to the smallest details. It was almost a chance which saved this country from invasion, and the anger of the First Napoleon, coupled with his treatment of Admiral Villeneuve, shows how he had set his heart upon it. But in the 10th volume of Napoleon's Correspondence, which has just been published in Paris, there is a letter which puts the question beyond the possibility of a doubt, and supports in every particular the arguments of the noble Duke opposite as to the use of these fortifications. On the 28th of June, 1805, Napoleon writes to Marshal Berthier on the preparations for invading England—

> "Keep your eyes" (he says, in his laconic style) "on everything. Master all the details as to provisions, brandy, shoes, and everything concerning the landing. Put on board a great quantity of artillery tools. You know there is always a deficiency in campaigning. I shall have to lay siege to Dover Castle, Chatham, and perhaps Portsmouth. Talk it over with Marescol, General of Engineers. It is possible to land troops enough perhaps to besiege the three places at the same time. We must have no 'ifs,' or 'buts,' or 'fors.' All my chances are calculated beforehand. Let tools of every sort be shipped, and take care that nothing is wanted."

This was written in 1805, just before the battle of Trafalgar saved us from the danger, and here we have the opinion of the greatest master of war we know of in our time—first, that he could ship troops; secondly, that he could land troops ; and, thirdly, that he could besiege three of our most important posts, including Dover. Another objection urged against this Bill is that we should trust to our navy alone. If that is not answered by the letter which I have read, let us look at what is going on in France. The Emperor, a man of practical knowledge, who is the first inventor of armour-plated vessels, and has changed the whole artillery of the French army, with the means at his command of referring for advice to the best military Engineers of the age, has fortified every harbour and every river's mouth in the Channel, and has not abandoned the ancient principles of fortification in his great inland fortresses. He has fortified Lille at an immense expense, as I have seen with my own eyes, Grenoble, and other places. Another objection to our following this example is, that with so many fortresses, we should be locking up our forces in them and diminishing the available strength of the army. There is no argument in that term. An army must be quartered somewhere or other—if not in a fortress, in a barrack ; but if they were quartered in a barrack, they would certainly not be protected in the same way as in a fortress. In the last war, with half our present population, we had 600,000 men under arms to protect the empire in different places, and surely the spirit of Englishmen has not so much deteriorated, that if another war should take place, we should have any difficulty in raising an equal, if not a greater number of men. It is said that the proposed system of fortifications will require about 5,000 guns, and that it is impossible we could find men enough to serve them and at the same time to keep an army of the requisite strength in the field. I deny that altogether. Guns in position behind walls may be served by men at the end of a month's training. Certainly, men could not go into the field and act as artillerymen for field batteries in that time, but a month's training is sufficient to make men excellent marksmen behind walls. Supposing each gun to require ten men, we should have very little difficulty in finding 50,000 artillerymen to work them on an emergency. I have seen a gentleman who never fired a cannon in his life, though he was an excellent rifleman, beat a whole troop of the Royal Horse Artillery after a very short training. It is by no means so difficult to learn to serve such guns as to learn the movements in the field. With regard to what has been said of the relative superiority of forts and ships, I am convinced that if we go on increasing the size of ship guns and the size of fort guns, the relative position of ships and forts must remain the same. Looking to the gradual progress of fortifications and artillery up to this time, there can be no doubt that their relative position is exactly the same as when the Norman towers were assailed by bows and arrows and catapults. Of course the *maximum* of artillery force must sooner be reached in a ship than in a fort, because a ship has a double object to discharge—it has to act as a locomotive as well as to serve as a means of attack. Some most extraordinary statements have been made on the question by gentlemen for whose talent I entertain a sincere respect. Sir Morton Peto, for instance, in a letter to *The Times*, has argued in a most strange way that a fort is much inferior to a ship, because a ship, as it moves about, cannot be easily hit; whereas a fort, being a stationary object, can be hit much more easily. He quite forgot, that if the basis from which you fire is movable, your aim is destroyed much more than if standing still you fire at a moving object; and if Sir Morton were to try to fire at a hare sitting while he himself was running at full speed, he would find it much more difficult to hit her than if he fired at her running while he was standing still. This is a matter of great importance, and, small as the Bill is, it is with great pleasure that I see it come up from the House of Commons. Those who opposed it can scarcely have considered its magnitude and importance; and it certainly is a prostitution of the word economy when it is used to defeat a measure intended for the defence of the honour, and even the existence, of the country.

VISCOUNT MELVILLE said, he took it for granted that the Government had considered this matter in all its bearings, but he was greatly afraid that when these forts were erected we should find we had only done half our work; because unless we provided men to man them they would be of little or no use. According to the blue-books those forts would require 62,000 men to occupy them; and there were few periods in English history in which we had found ourselves strong enough to put 62,000 men into our fortifications, and at the same time to keep an army in the field sufficiently strong to repel invasion. He understood that the whole of our present available force at home was about 70,000 men, of whom 20,000 belonged to the depôt battalions, which left us with just 50,000 men whom we could employ in operations. How many of these could we spare to garrison our fortifications in case of invasion? He regretted to hear, too, that the Militia mustered only 62,000 men; if it had been complete on its establishment, as he had supposed it to be, it ought to number some 130,000 men. It became, therefore, a most serious question for the Government to consider in what way men were to be found for the manning of these forts when they were erected. Our regular army was scattered all over the world, and any attack which might be made on us would be so sudden that we should not have time to recall any of our forces on foreign stations. If ever an invasion did take place, the first trial of strength would be in a naval battle; and if we were successful in that, not a man of the enemy's force ought to land on these shores. If we lost it, or if by any chance an enemy should succeed in landing on our shores, then the issue would depend on our land forces and on the general spirit of our people. At any rate, we ought to be prepared to resist an attack both by land and sea. In conclusion, he hoped that serious attention would be given to the observations of the illustrious Duke, which were well deserving the consideration of the Government and of the House.

EARL GREY: My Lords, I think the noble Viscount who has just sat down was quite right when he said that forts are of no use unless we have men to defend them, and that the forts for which we are now called on to raise a part of the money that will be required to complete them would make it necessary to have an army of 62,000 men for their defence. My Lords, I must say that the noble Viscount has, in my opinion, under-estimated the number of men that would be necessary; if I am rightly informed, it would be considerably more. My noble Friend has justly asked, "Whence are the men to be obtained? How can you ever expect to have men enough to keep all these forts, and have at the same time an army in the field?" That question appears to me to contain in a few words an argument which is decisive against this whole scheme of fortifications. If you had unlimited means in men and money, if you did not fear to lay too great a burden upon the country, you might make the nation more secure than it now is by multiplying fortifications and raising men to garrison them. But such an army you never can and never will have; and, in the absence of so large an army, these fortifications will be rather an incumbrance than otherwise. My Lords, we must consider what are the circumstances of the country. When you look to the nature of the Government, to the manner in which the population are occupied, and, in short, to the whole state of things taken together, you may be quite certain that it will be practically impossible ever to keep up a very large standing army in this country; and I, for one, hope and trust it will ever be impossible. What, then, my Lords, will be our true policy? First of all, above everything, to take care that our means of naval defence are as efficient as possible. That is our main and first reliance, and to that our particular attention ought to be directed. What is the next point? To have an army not very large in number, but in as perfect a condition as possible, and placed in such a central position that by well-devised arrangements you can throw it at a few hours' notice upon any point of the coast that may be attacked. In these days of railways such arrangements are quite feasible. I have been informed by a very distinguished officer that he himself, under the directions of the late Lord Hardinge, communicated with the different railway companies, and they informed him that they could convey from 30,000 to 40,000 men, if we had them, from Aldershott, for instance, to almost any point of the coast that might be attacked, within six hours. Well, then, my Lords, I say that the real policy of this country is to adopt the most perfect means that can be devised for completing our facilities of communication by railway, electric telegraph, and other arrangements, so as to be able to concentrate upon any point all our disposable force at the shortest possible notice. If you can do that, you are safe, for no enemy can venture to set foot on the shore of this country unless he can land about 100,000 men. Now, I remain of the same opinion as I formerly entertained—that in these days of steam, and with the power which that gives your fleet of going among unarmed transports, the probability of throwing 100,000 men on any point of the coast is of the most distant kind; and if you exert yourself properly, it is an absolute impossibility. That seems to me a strong argument against the general policy of a system of extensive fortifications. In these fortifications you will lock up 20,000 or 30,000 men; I must say "lock up," in spite of the argument of the noble Earl (the Earl of Malmesbury), because if you leave the forts unmanned they may be laid hold of by the enemy, who may maintain himself there when he may not be able to keep the open field. Well, your troops will be locked up in these forts, instead of being placed in the most central position, where their services may be most required. And here, my Lords, I cannot help observing that those who are most in favour of this system have all advocated it on the assumption that we are to have our army largely augmented.

THE DUKE OF CAMBRIDGE: I beg the noble Earl's pardon—he is quite in error in supposing that I have taken any such line of argument. On the contrary, I said that the reason I thought fortifications essential was because our available regular force was so small we ought to have the means of supplying some auxiliary to that force. I accepted the fortifications on account of the small force which we have now, and which I did not anticipate would be increased.

EARL GREY: I beg pardon, but I think the great burden of the illustrious Duke's argument was that a much larger force ought to be kept up in this country. But even from the statement now made it is quite clear that the fortifications cannot be manned and an army kept in a central situation at the same time. I do not wish, however, to dwell longer on this point or to debate over again the general question of fortifications, because I have already expressed my opinion on that subject in the discussion which was raised by my noble Friend below me. I only desire to say, for my own part, that, though I will not put your Lordships to the trouble of dividing, I shall myself say "Not Content" to the Bill before us. I object to it, first, because it provides for a loan in time of peace, and because, notwithstanding what fell from the noble Earl (the Earl of Ellenborough) I think that loans in time of peace are altogether objectionable, unless they are to meet some great and pressing emergency, which in this case is not alleged. I also object to the mode of raising the loan, because, if we are to have a loan at all, it ought not to be raised by terminable annuities. The only ground which you can allege in favour of terminable annuities is the security which they afford for early payment; but that security is just as futile as the security that was formerly taken of borrowing more money than was actually wanted in order to form a sinking fund. You really cannot make any impression on your debt unless by future Parliaments having the foresight and firmness to keep a fair margin of income over expenditure. If that is done, the debt will be reduced; but if you are paying terminable annuities, and at the same time exceeding your income, and having deficits such as we have had for the last two or three years, what are we to expect? You will not be improving your circumstances at all. In fact, it is only an attempt to tie up the hands of future Parliaments. It may be a sop to the conscience of Parliament. The House of Commons may be aware that it is acting improperly in sanctioning a loan in time of peace, and it may wish to get rid of the responsibility by adopting this form of loan. But the real objection is not got rid of, and the only effect is that you pay more to the lenders than you would do by raising the money on the old system. My Lords, I ask you to reject this Bill, because it is not proved that the money to be raised under it is to be spent in the best way. I am persuaded that there are other better modes. For instance, I saw it lately asserted that the best mode of obtaining security for London is to have railroads carried on all round the town, so that you may have the means of bringing together for its defence a large force of artillery and the mass of your army. I am not prepared, in the present circumstances of the country, to sanction a measure which would involve a large expenditure without adequate results. It seems to me, after having most carefully read the evidence given before the Defence Commission, and also pamphlets published by several officers of the army and navy, and after seeing what are the opinions of those who are the best judges, that the preponderance of argument is with those who are opposed to the forts. More than this—what weighs with me is the evidence which the Report bears upon the face of it, that it has not been framed with due consideration or in such a manner as to command the confidence and respect of the country. Only yesterday some inconsistencies were pointed out to me by an officer who was well able to form an opinion on the subject. I will not enter into detail; but if there is one thing more than another which is calculated to throw doubt upon that Report it is that it is not consistent with itself. I will give your Lordships one instance. You are completing very extensive works, as the Under Secretary of State has told us, at Portsdown Hill, which are stated to be necessary, from the increased range of modern artillery, to keep an enemy at a greater distance from your arsenals, and therefore these works are erected at a distance of between 8,000 and 9,000 yards from the dockyard which is to be protected. If that is right at Portsmouth, common sense—which the noble Earl (the Earl of Ellenborough) has truly told us is so valuable a quality—surely teaches us that the same principle is equally applicable at Plymouth. But what is the case? The works which are, I believe, not yet begun, but which are about to be commenced at Plymouth, according to the plan of the Commissioners, instead of being 8,000 or 9,000 yards from the dockyard, are only from 4,000 to 5,000 yards; while at Pembroke they are only 3,000 yards. I can only say that the whole of this plan cannot be right, and I believe it to be also true that there is no difficulty either at Plymouth or Pembroke in placing the defences at the same distance from the point to be protected as at Portsmouth. I will only advert to one more point in regard to the plan of the Commissioners, and I mention it in order that it may be explained by the Under Secretary of State. Your Lordships will observe that in the schedule of this Bill a sum of £87,000 is taken for the construction of mortar batteries at St. Helen's and at Puckpool in the Isle of Wight. These mortar batteries are intended to protect the anchorage of Spithead, by firing on vessels that are running into that road. I suppose this proceeds on the consideration that iron-sided vessels will be found practically invulnerable at a great distance, but that a shell falling on the deck of any vessel will infallibly destroy it. I do not doubt that it would, but it reminds me of what children are told—"You will catch that bird if you put a little salt on its tail." It is true, that if you could put a little salt on a bird's tail, you would be able to catch it; and so, no doubt, the shell would destroy the ship if you could drop it on the deck. But it would be about as easy to drop a shell on the deck of a vessel a mile off, running in at full steam, and probably under a cloud of smoke, as it would be to put salt on a bird's tale. I am assured by a very competent authority that this is the scheme, but it is so inexpressibly absurd that I can hardly imagine it to be true. My Lords, I adhere to the opinions I formerly expressed on this fortification scheme; and although I am as anxious as any one that this country should be placed in as complete a state of security as possible, I cannot vote in favour of this Bill. Allusion has been made to the expenses of our army and navy. It is fair to remember that the armies of foreign nations cost far more than our own, because conscription is virtually a tax of a most onerous description. It is a poll tax on the whole of the population. Every man who serves in that army at less than the market rate of his labour is a contributor to that tax. We, on the contrary, do not compel men in this country to serve for less than the value of their labour, and, going into the market and obtaining men without compulsion, we must pay what their services are honestly worth. I do not therefore believe that the pay of our soldiers is higher than it ought to be. I am not so well satisfied that the expenses of our army are not greater than need be, especially in the item of barrack accommodation. There is a building now rising near Battersea Park which is to contain 1,000 men. The cost of those barracks is estimated at £160,000—that is to say, we are to spend £160 for every soldier to be lodged in them. Now, your Lordships are aware that you can build a most excellent cottage with several rooms, and accommodation for an agricultural labourer and his family for £100. While I admit that soldiers require some things that agricultural labourers do not want, yet the reverse is also the case in other matters, and on all ordinary principles it is much cheaper to erect a building for a large number of men than for a family. I cannot understand therefore why these expenses should be so high. I am also of opinion that we are going on a wrong principle in always keeping our army in a state of readiness for taking the field on foreign service. I am anxious that our troops should always be ready for home defence, but I do not desire to see our arrangements so complete as to enable us to send at the shortest notice any portion of our army abroad that may be desired. When the illustrious Duke therefore tells us that the military train, among other things, involves us in a very large expense, I say that, if so, it is because these branches of the army are kept up in the state in which they would be required for foreign service. I maintain, on the contrary, that everything that is not required for home defence should be kept on the lowest scale of expense. If you really wish to reduce the expenses of your army, you ought to reduce the expenses connected with its service abroad. I think you might, without increased expense, do much to put yourself in a state of defence at home, and then, by avoiding unnecessary and expensive wars, like those in New Zealand and China, you might considerably diminish the ordinary expenses of the army. I cannot help thinking that those who urge at the same time an increase in our fortifications and in our army are recommending two things which are very inconsistent with each other.

Earl RUSSELL: In the course of the speech which he has just addressed to your Lordships my noble Friend urged very strongly that you must greatly increase your army in order to garrison those forts which it is proposed to erect. My Lords, I think that objection has already been sufficiently disposed of by the illustrious Duke who has spoken in this debate, and who observed with reason that because of your small army there was the greater necessity for fortifications as auxiliary to our military force. The noble Viscount who spoke on the other side said that 62,000 men would be required to garrison those works in time of war; but, my Lords, that is not a number which you would require, or which any Secretary of State would propose, to place in the forts in a time of peace. The noble Viscount knows what was the state of things during the last war. I remember well that four-fifths of the garrison of Dover, a large garrison, was composed of Militia; and those Militiamen were, I believe, in as perfect a state of efficiency for the defence of a country as any regular troops could have been. Militia are not, of course, in the same state of efficiency in time of peace; but I believe, that if war were to break out, and there was any apprehension of invasion, before any enemy could land on these shores we should have a militia force and a reserve force fully equal to manning our garrisons. Therefore I concur with the illustrious Duke, that the smallness of your army affords no argument whatever against the proposed forts, but is, on the contrary, a very strong argument in their favour. My noble Friend (Earl Grey) said, that the first element of our defence is a strong navy. No doubt our permanent means of defence must always be in the strength of our navy; but then, in order to maintain our navy in an efficient state of defence, the protection of our dockyards and arsenals is an absolute necessity. The noble Earl opposite (the Earl of Malmesbury) has read what was very pertinent to the subject, a letter from the first Emperor Napoleon, written during the great war when he was meditating a descent on this country, and which pointed out that one of the first measures he would take would be an attack on Portsmouth. In considering the propriety of relying on your navy, it must be borne in mind that ships continually require to be repaired and refitted. Imagine an enemy attacking Portsmouth, and having the advantage of meeting none but old and dilapidated walls, which would be altogether unable to meet an attack such as one conducted in accordance with the science of modern warfare would be—where then would be our reliance on our navy? Instead of being a defence and a reliance, the navy would be crippled and ineffective, and a source of weakness rather than of strength. If you rely on your navy as a defence, you must not allow your dockyards and arsenals to be exposed to destruction. My Lords, I cannot but think that among your means of defence, relying as we always must upon our navy, it is essential that you should give us the means of protecting your naval dockyards and arsenals. If this must be one of your first objects—and if you admit, as every one must, that the art of war has changed and has become more scientific and expensive, you must meet the science and expenditure of other countries by the science and expenditure of your own. My noble Friend (Earl Grey) has objected to the mode in which it is proposed to provide for the expense of these fortifications by means of terminable annuities, considering that they ought to be paid for from time to time as the expense is incurred. But, my Lords, if those works are not to be completed for a number of years, it seems fair that the expense should be divided among those who are to have the benefit of them, the more especially as the works themselves are to be permanent. When we are providing for the army or the navy for the services of the year, it is undoubtedly right that the charge should be defrayed out of the revenue of the year; but when we are providing for the permanent means of defending the country, it is equally proper that the charge should be spread over a series of years. As regards the objection that the loan will be a perpetual one—that it will never be paid off—I would remind your Lordships that within the last two years no less than £2,000,000 of terminable annuities have been paid off. When these annuities fell in, the Government had this amount in hand which they might have appropriated in relieving the people from taxation, or in adding to the naval and military expenditure of the country. The Legislature determined to discharge those annuities, and they have disappeared entirely from your debt. Therefore I cannot think that my noble Friend is sound on that point. My noble Friend who spoke early in this debate (the Earl of Ellenborough) called attention to other subjects on which I wish to say a few words. In pointing out the great danger that might arise from foreign invasion, he stated, much to my surprise, that if France became aggressive, no Power in the world would be the ally of this country in assisting her to defend herself against an attack. I believe the case is very different. I believe the policy of the Emperor Napoleon, during the ten years of his rule, has not been hostile to the independence of nations. Both the wars which he has undertaken—the war in the Crimea and the war in Italy, have been favourable, not hostile to the independence of nations. But certainly I do believe, that if his policy were to be changed, there is at this moment, to a greater extent than I ever remember, a love of national independence among the nations of Europe. Look abroad where we will, there never was a time when throughout Europe national power was more decidedly developing itself—when the people of Europe more valued their national independence, and when they were more disposed to resist any great plan of conquest such as that devised by Louis XIV., or that carried out by Napoleon I. The present Emperor does not appear to adopt such a policy. I am far from saying that no danger may arise; but I do not think there is that danger which my noble Friend seems to apprehend. With regard to the Ministry, I am at a loss to know to what point a defence of the present Government is to be addressed. One whole sitting was taken up with a debate on the extravagance of the Government with respect to the army and navy; and to-night we are told that we have not armed enough—that our navy is not equal to the navy of France, and that our army is very inferior in numbers to what it ought to be. In answer to these charges I can only say that it is for the

Government of the day to propose the measures they think best under all the circumstances. It is very obvious, that if, on the one hand, you diminish your armaments too much in order to make great reductions in the expenditure, you are likely by so doing to embolden the war party in foreign countries, and you neglect the duty of defending what is intrusted to your protection; but, on the other hand, if your armaments are maintained at too high a standard you create a jealousy abroad, you produce great discontent in the country itself, you make the people complain, you give rise to a demand for excessive or imprudent reduction, and you thereby incur the very peril against which you are desirous of guarding. The course of the Government must be to steer between those two opposite dangers, and it is for the country and the Houses of Parliament to consider whether the present Government have done wisely or not — whether, on the one hand, we have proposed excessive armaments, or, on the other, recommended injudicious and dangerous reductions. My belief is, that we have not fallen into either extreme, and that the course which we are pursuing is the right one. My Lords, there is one point which ought not to be lost sight of in considering the position of any country, and of this country in particular, as regards its means of defence. It is this—that you never can be strong against a foreign Power—you never can successfully resist a foreign enemy—unless your people are united heart and soul in the defence—unless they feel that the Government and the Legislature are doing them justice; and, in this country, unless they feel loyalty towards the Throne and satisfaction with respect to the legislation of Parliament. And, my Lords, looking at the legislation of the last thirty years, and looking at the high character of the present Sovereign, I believe there never was a time when the people were more persuaded that their interests are cared for by Parliament, that the Government is conducted with a view to the benefit of the people at large, and that there never was a time when there existed more affection towards the Throne. These are, of themselves, great elements of defence. When there is this feeling among the people, depend on it, that if there was any danger of war, there would arise up from the earth armed men in a much shorter time than any one can now imagine. In common with all your Lordships, I have been delighted to see that spirit which has produced the great force of Volunteers; and that great force you may rest assured, if there was any chance of invasion, would be in a very short time a most efficient regular army. The Government has attended to these things. It is by attending to these things—by making prudent, but not excessive preparations for defence—by sympathizing with other countries in their desire for independence, and at the same time improving our own institutions in conformity with the progress of the age—by attending to all just complaints—by promoting freedom of trade and commerce, and upholding liberty of discussion, that you best maintain a spirit of independence among your own people, and fit them for defending themselves against any foreign foe. The noble Earl (the Earl of Ellenborough) has spoken of the expense to which Parliament goes in providing education for the people. I believe that by educating the people you make them the more capable of appreciating our institutions. If Parliament pursues the wise course it has for some years acted on, I believe that no war can come upon us which will not be encountered with the spirit of Englishmen, loyally devoted to the Throne and sincerely attached to the institutions of their country.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

PROTEST

Against the Second Reading of the Fortifications (Provision for Expenses) Bill.

"DISSENTIENT—Because the Bill is contrary to sound Financial Policy, its Object being to sanction the raising of a Loan in Time of Peace, and without any urgent Necessity.

"Because even if it were right to raise a Loan for the Purpose contemplated by this Bill, the Creation of Terminable Annuities would be inexpedient, since this Mode of raising Money is costly to the Public, without affording any real Security for the Redemption of the Debt so contracted within the Time for which the Annuities are granted.

"Because the Works of which the Cost is to be met by the proposed Increase of the National Debt form Part of a Scheme for the Defence of the Country which cannot be completed without incurring an enormous Expense, while the Advantage to be derived from it is uncertain, since the Plan has been condemned by Officers of great Experience and Ability in the Naval and Military Service of Her Majesty, and is not supported by the Evidence taken by the Commissioners who have recommended its Adoption.

"GREY."

CONSTABULARY (IRELAND).

MOTION FOR PAPERS.

The Earl of LEITRIM *moved*, That an humble Address be presented to Her Majesty for,

> "Copy of a Letter addressed to the Secretary of the Grand Jury of the County of Tipperary by Sir Thomas Larcom, Under Secretary to the Lord Lieutenant, dated the 7th of July 1862: And,
>
> "Copy of a Statement enclosed therein from Sir Henry Brownrigg, Inspector General of Police in Ireland, respecting the Efficiency of the Police in Ireland."

The statement in question, in which it was asserted that the position and powers of the police were the same as they were previous to 1836, was so rash as coming from such an authority, and endorsed by the Secretary of the Lord Lieutenant, that he was astonished they should have expected it to be believed. There had been no less than twelve Acts of Parliament passed since 1836, altering and increasing the powers of the Irish police, which now consisted of no less than 12,000 men, and cost the country £762,000 a year. Of this expenditure part was paid out of the Consolidated Fund, and part out of the county rates; but the Returns which had been presented to the House on the subject he contended were incorrect.

Earl GRANVILLE said, that the Report moved for by the noble Earl had already been ordered, and the letter of the Under Secretary for Ireland was a private one, which he presumed the noble Earl would not require.

The Marquess of CLANRICARDE said, he thought there must be a Parliamentary inquiry into the management and discipline of the police force in Ireland next Session.

Motion (by leave of the House) *withdrawn.*

SPECIAL COMMISSION (LIMERICK).

MOTION FOR RETURN.

The Earl of LEITRIM *moved*, That an humble Address be presented to Her Majesty for,

> "Return of all the Expenses attending the late Special Commissions of Assizes in the Counties of Limerick and Tipperary in Ireland; distinguishing the Expenses under the several Heads for whatever Object incurred, either for the Law Officers of the Crown or the Police, or for any local or other Purpose whatsoever."

The noble Earl said, he thought it was a serious matter to put these counties to the expense of an additional assize, and further it was highly objectionable when a county was in an excited state.

Earl GRANVILLE said, there would be no objection to a Return in the same form as that given in the year 1830.

Address for,

> Return of the Total Expense of the late Special Commission held in Limerick and Clonmel; distinguishing the Amounts paid to the Judges, Crown Lawyers, Crown Solicitor, Clerk of the Crown, Sheriffs, and Police, and the Expense of maintaining the Witnesses in Limerick and Clonmel during the Continuance of the Commission.

—*agreed to.*

LOCAL GOVERNMENT SUPPLEMENTAL (No. 2) BILL—[Bill No. 212.]

Lord REDESDALE opposed the suspension of the Standing Orders with a view to this Bill being read a second time, and complained of the extreme haste with which the Bill, introduced at a late period of the Session, had been pushed through the other House of Parliament.

Earl DE GREY and RIPON assented to the withdrawal of the Bill.

Order of the Day for the Second Reading read, and *discharged.*

House adjourned at a quarter before
Nine o'clock, to Monday next
Twelve o'clock.

* * *

HOUSE OF COMMONS,

Friday, July 25, 1862.

Minutes.]—New Writ Issued.—For Carlow County, *v.* William Bunbury M'Clintock Bunbury, esquire, Chiltern Hundreds.

Public Bills.—2° Burial Boards; (Mortgage of Rates) Council of Medical Education.

3° Militia Pay; Corrupt Practices Prevention Act Continuance; Court of Common Pleas (Officer for acknowledgment of Deeds); Queen's Prison Discontinuance (1862); Drainage (Ireland); Elections during Recess.

THE BORNEO PIRATES.—QUESTION.

Mr. CRAWFORD said, he wished to ask, Whether the attention of Her Majesty's Government has been drawn to recent statements in the public papers relative to renewed and systematic piracy in the Eastern Archipelago, and the signal service conferred by the destruction of a piratical fleet and the liberation of more than 200 captives by a steamer of the Government of Sarawak; and whether Her Majesty's Government are prepared to take steps to put a stop to such practices?

Mr. LAYARD said, the attention of the Government had been called to the account recently published of the attack made on the Borneo pirates and the additional services which Rajah Brooke, and those who acted with him, had rendered to the cause of civilization and humanity, as well as to the commerce in those seas. The attack, it appeared, was very effective, and some notorious captains and spies had been captured, and signally punished. Her Majesty's Government had been long considering the importance of suppressing piracy by the most effectual measures, but they had been encountered by much difficulty in consequence of the occupation of some of those islands by other Powers. They had consequently failed hitherto in effecting a combined action. They, however, hoped soon to accomplish that object. The Government of the Netherlands had signified their intention to send a vessel of war to co-operate with the British force in those seas. An application had been made to the Government of Spain, who claimed a right to some of those islands, to take a similar course. He trusted that the Government of Spain would ere long co-operate with the Government of the Netherlands and that of this country in order to put a stop to evils that occasioned such incalculable injury in the neighbourhood of those islands.

THE ARMSTRONG SHUNT GUN.

QUESTION.

Mr. BERNAL OSBORNE said, that he rose to ask the Secretary of State for War, If the 140-pounder Armstrong Shunt Gun has not given way in the late experimental firing at Shoeburyness on July 14, with a charge of powder of 25 lbs., and 91 lb. flat-ended shot; also to inquire how many rounds have been fired from the Gun; and if the Secretary of State for War will consent to the appointment of a Committee of Skilled Officers and Mechanicians to inquire into the causes of the failure of the Armstrong Guns which have burst or given way?

Sir GEORGE LEWIS said, the gun in question was one of 120 lb.; and being fired on experimental charges, it was fired with a charge of 25 lb. weight of powder, being about double the ordinary service charge. The gun cracked near the centre.

Mr. BERNAL OSBORNE: Split, in fact. How many rounds were fired?

Sir GEORGE LEWIS said, he was unable to answer that question. With regard to the question of the appointment of a Committee on the subject, he would remind the hon. Gentleman that there was at present a Select Ordnance Committee sitting on the subject of conducting such experiments. The Iron Plate Committee and the Select Committee of that House had been sitting some weeks, and had recommended the appointment of a similar Committee next Session. It seemed to him, therefore, that there was a sufficient number of Committees to consider the subject.

Mr. BERNAL OSBORNE said, that the right hon. Gentleman did not appear to understand the gist of his question. He wished for the appointment of a Committee to inquire into the causes of the bursting of the gun, as well as into the nature of its construction—a Committee, in fact, to inquire into the principle of the coil.

Sir GEORGE LEWIS said, that the Committees already appointed would, of course, consider the causes of the failure of the guns which had burst or given way.

STAMP DUTIES IN THE STRAITS SETTLEMENTS.—QUESTION.

Mr. GREGSON said, in the absence of his hon. Friend (Mr. Lindsay) he would beg to ask, Whether the Government of India has intimated to the Secretary of State for India its intention to introduce into the Settlements of Prince of Wales Island, Singapore and Malacca, the provisions of Act X. of 1862, being "An Act to Consolidate and Amend the Law relating to Stamp Duties;" and whether the Secretary of State for India has received through the Government of India a remonstrance of the Singapore Chamber of Commerce against the extension of the said Act to the Straits Settlements?

Mr. T. G. BARING replied that the Government had received no despatch on the subject alluded to in the question.

INDIAN PRIZE MONEY.—QUESTION.

Sir MINTO FARQUHAR said, he wished to ask the Under Secretary of State for India, What is doing with reference to the Delhi, Lucknow, Kirwee, and Indian Prize Money generally; and, the reasons for the long delay which has taken place in posting the officers of the 19th, 20th, and 21st Hussars, now in India, they having volunteered for those regiments nearly eighteen months ago?

Mr. T. G. BARING said, that warrants had been issued for the distribution of the Delhi and Lucknow prize money. The distribution in India of the former commenced on the 1st of December last, and that of the latter on the 31st of December. The rolls which showed the shares which had not been paid in India, and would therefore be paid in England, had just reached this country. Those rolls, as far as they related to Her Majesty's Forces, had been sent that morning to the Commissioners of Chelsea Hospital, and the distribution of the shares would commence there on the 1st of September next. So far as the officers and men of the late East India Company's local army was concerned, the distribution of the unpaid shares would commence at the same date at the India Office. The rolls relating to the unpaid shares of the Lucknow prize money had not yet been received from India; but, judging from the date at which the distribution commenced in India, they were expected to arrive by every mail. As soon as they reached this country, steps would be taken for the distribution of the unpaid shares at Chelsea Hospital and at the India Office in the same way as the Delhi prize money. With respect to what he might term the minor prize moneys, the principle of their distribution had been decided upon by the Treasury, and the Law Officers of the Crown had been instructed to prepare a Royal Warrant on the subject. Some delay had arisen in the preparation of the warrant, in consequence of the unfortunate illness of the Queen's Advocate; but there would be no further postponement in the matter, inasmuch as it had been placed in the hands of the Admiralty Advocate, in order that the warrant might be issued at once. In the case of the Kirwee booty a question had been raised as to the forces which had a right to share in it, and the delay in coming to a decision as to the principle on which it should be distributed had arisen from an anxiety on the part of the Treasury and the Government that the advocates of the claims of the forces on either side might have an opportunity of stating fully the case of the larger and smaller forces which claimed to share in the prize. In reply to the last question, he might state that considerable delay had no doubt occurred in posting the officers to whom it referred. It was only lately that his right hon. Friend the Secretary of State had addressed a Despatch to the Government of India on that subject, requesting that no unnecessary postponement might take place. The House must recollect, however, that it was a matter of exceeding difficulty to redeem the pledge given to the officers of the old local regiments, that their position in the new regiments should not be worse than in the old, and at the same time to place in suitable positions the other officers who had volunteered for those regiments.

FRANCE AND MEXICO.—THE ITALIAN GOVERNMENT.—QUESTION.

MR. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether, some weeks back, a promise or engagement was not made by the present Italian Government to the French Government, to send troops to act in concert with the French in Mexico, in exchange for the retirement of French troops from the provinces of Viterbo and Velletri; and that such scheme was only abandoned in consequence of its unpopularity as soon as it transpired in Italy.

MR. LAYARD: Sir, the sources of information possessed by the hon. Gentleman as to foreign matters are so vast that we cannot keep pace with him. The Government have received no information whatever on the subject. I am not aware that such a scheme was ever publicly known in Italy, and consequently I cannot say whether it became popular or not. I know nothing whatever about it.

ADJOURNMENT OF THE HOUSE.

Moved, "That the House at its rising adjourn till Monday."

ABOLITION OF BATTA IN THE EAST.

OBSERVATIONS.

SIR JAMES ELPHINSTONE said, he rose to call attention to the recent reduction of "batta" payable to the Admiral on the East India and China station, by the withdrawal of that allowance from the Flag. Up to a recent period the officers of the navy stationed in India used to receive in addition to their pay an allowance entitled "batta," which in the case of the Admiral amounted to £3,000; in that of the commodore to £1,500; of the captain succeeding the commodore, to £1,000; of the captain commanding, £500; the commander, £250; and of a lieutenant, £85 per annum. Now, that allowance had been most arbitrarily withdrawn, and he certainly could not congratulate the noble

Lord at the head of the Government on the change at a moment when, as he predicted three years ago, a war had sprung up with China constituting one of the most embarrassing *imbroglios* in which this country had ever been involved. The noble Lord at the head of the Government had allowed a war to spring up, of which but few Members of the House would see the end, and about the expense of which they would receive information when the right hon. Gentleman the Chancellor of the Exchequer favoured them with his next budget. The Government having withdrawn these allowances, the officers of Her Majesty's navy in India and China were positively unable to pay their way. The plea under which the reduction was made was, that to meet the exigencies of the case, the Admiral's flag had been removed from India to China. But he had yet to learn that the increased trade in cotton, opium, and other articles—trade carried on in specie—did not require all the protection they could afford in that quarter. The present state of affairs in the Chinese seas was, he might add, far from satisfactory. Hon. Members must have read an account of an action which had occurred in those seas the other day, in which the Bishop of Borneo, after being hit by a bullet, was obliged to defend his life with a revolver, which appeared to have done him right good service. Among the captives recovered from the pirates on that occasion were men from every part of the Eastern Archipelago, and there were also found in the boats flags of almost every nation. In the action eleven boats were captured or destroyed, but their original number were no less than twenty-one. Such was the disastrous position of affairs on a sea covered by the British flag under the present Administration. To show how the reduction operated, he might state that he held in his hand a letter from a post captain—a most gallant officer—on the China station, stating that in his command he was obliged, although he never kept a table beyond the requirements of his position, to incur debts to the extent of £1,000, adding that all the necessaries of life on the station were cent per cent dearer than the home prices. The writer went on to state that an under clerk in a mercantile house in the East was better paid than a post captain. On every account it was to be regretted that the Secretary for India, chosen probably for his skill in the *patois* of office, should have cut down the "batta," and left the naval officers without the means of paying their way. The present Admiralty was the first which had reduced the pay and allowances of every officer who had the misfortune to serve under the British flag, and that, too, at a time when the value of money was falling and the price of the necessaries of life rising all over the world. The terms of his Motion were framed for a different state of circumstances; he had intended to move it on going into Committee of Supply. That Motion was—

> "That this House will on Monday next resolve itself into a Committee to consider of an humble Address to Her Majesty that the pay of the Admiral on that station be restored to a sum that will place the emoluments of the Commander in Chief on a footing that will enable him to maintain the dignity of his position, and more in accordance with the allowances of Military Commanders in Chief in the various Presidencies."

In the present position of the House, the Votes in Supply having been all granted, he was precluded from such a Motion; but he wished to give notice that next year he would move for the re-appointment of the Admiralty Committee, believing as he did that the maladministration in that department was by no means abated. Meanwhile, he hoped that during the recess the Government would look the facts which he had stated fairly in the face, and would do everything they could to alter a state of things which was neither more nor less than disgraceful to the country.

Mr. BAILLIE COCHRANE said, he thought it was most unfortunate that at a period when they were proposing to construct new fortifications, and were making large additions to the navy, any circumstance should occur to lead to a bad spirit in the naval service. Frequently during the Session the attention of the House had been called to hardships suffered by the navy. One night it was the case of the captains, in which it was clearly demonstrated that officers of high standing and great merit had been treated with gross injustice. Another evening it was the question of prize money—a question upon which a majority of the House had decided that the Government had ill-treated the navy. Now, they were discussing another case of hardship. Hitherto it had been considered right that a large extra sum of money should be paid to the Admiral on the China station, because he was obliged from his position to incur great expense. For several years the China command was worth not much less than £10,000 per annum.

Now, all of a sudden, on account of the amalgamation of the Indian and home services, the pay of the Admiral in command was reduced to £2,300 a year. The captains, first lieutenants, and other officers serving under him were also obliged to submit to a great reduction. If £2,300 a year was sufficient for the Admiral then, how came it that he had received so much more in former years? Either he had been overpaid before, or he was miserably underpaid then. With the exception of the naval officers, all the persons employed in the public service in the East were very highly paid, and properly so. The Admiral occupied a higher position than the Governor of Hong-Kong, and yet the latter received £5,500 a year, while the former had only £2,300. He wished to know whether or not Captain Sherard Osborn had been appointed to a post under the Chinese Government—a most extraordinary proceeding altogether—at a salary guaranteed by our Government of £3,500 a year. Here, on one hand, was the Admiral in command on the India station, the representative of the nation, who had £2,300 a year; and there, on the other, was Captain Sherard Osborn appointed to a post under the Chinese Government at a guaranteed salary of £3,500. It was to be doubted whether the House was fully aware how much the advantages connected with service in the navy had been diminished of late years. The noble Lord the Secretary to the Admiralty would admit that there was no longer any freight, except on the West India station; it was all carried in private vessels. In case of war the officers would, no doubt, do their duty; but their energy would be somewhat lessened by the fact that there could be no prize money, in consequence of the abandonment of our maritime rights in the Declaration of Paris. Again, fifteen or twenty years ago, about one-third of the Colonial Governments were filled by naval men; but, with the exception of the Falkland Islands and Ascension, all those posts were then occupied either by civilians or by military men. The navy, in fact, was being deprived of all the privileges which it had hitherto enjoyed, and the Government had even resolved not to leave it the solitary advantage of the command in the Chinese seas.

LORD CLARENCE PAGET said, he thought it very unadvisable that he should travel out of the immediate view of the Motion of his hon. and gallant Friend the Member for Portsmouth, but it might be as well that he should give an answer to the statement of the hon. Member for Honiton (Mr. Cochrane) with regard to Captain Sherard Osborn. There seemed to be some great misunderstanding on the part of the hon. Gentleman that Captain Osborn was going to serve under the Chinese Government, being guaranteed by Her Majesty's Government £3,500 per annum. All he could say was, that Her Majesty's Government knew nothing about it. Captain Sherard Osborn had applied to the Admiralty to be allowed to serve under the Chinese Government mainly "with a view to the suppression of piracy in the China seas." He had leave given him to serve in China under that Government, but the Admiralty did not recognise any guarantee of terms whatever on the part of the Chinese Government. They had done what they did in former instances; Sir Baldwin Walker in the same way received permission to serve the Turkish Government; Sir Adolphus Slade had a similar permission; the gallant and distinguished officer the Member for Westminster in the same way served the Government of Spain. It was the occasional practice of the Admiralty to permit officers to serve under foreign Governments. Such service involved no claim on the public of this country, either as regards pay for the officer himself, or any serving under him. With regard to the question brought forward by his hon. and gallant Friend, of course the Admiralty were most glad that their officers should receive all proper allowances which might be granted to them by colonial Governments. The East India Government, it was well known, chose to make a very handsome allowance to the naval officers employed on that station, but that Government had been superseded by bringing India under the immediate government of the Queen, and it had been thought right that such allowances should cease. His hon. Friend, however, must recollect that these allowances had not been taken away from officers already in the enjoyment of them; but officers, whether admirals or inferior officers, went out on the distinct understanding that these allowances had ceased and determined. There was no fair comparison between the pay and allowances of officers in the army and navy. He did not for a moment mean to detract from the services of his brother officers, but he maintained that their services did not entail anything like the discomfort and danger to which officers on shore in those climates were liable. His hon. and gallant Friend had read a letter from a gallant officer giving an account of an attack on the pirates. [Sir J. ELPHINSTONE: He is not an officer.] Well, perhaps he was a bishop. There was, he believed, a bishop who had very gallantly distinguished himself in those seas; but his hon. and gallant Friend appeared to have forgotten that the Government did make allowances, in the form of head-money, for the capture of pirates, and every year a considerable sum was proposed in the Estimates as prize-money on that account; but that had nothing whatever to do with the allowances of the Admiral or officers on the China station. He did not think it was the intention of the Government to propose allowances; indeed, he thought it would be gross injustice to the admirals on other stations to propose an allowance on the China station without making a proposal of the same nature for the other stations, many of which were quite as expensive and inconvenient as that to the claims of which his hon. and gallant Friend had directed the attention of the House.

SIR JOHN HAY said, he thought it of great importance that the House should understand on what grounds leave had been given to Captain Sherard Osborn to serve under the Chinese Government. He would not go into the question whether it was right or not that Sir Baldwin Walker and Sir Adolphus Slade should have been allowed to serve the Turkish Government for the purpose of bolstering it up; but he would ask if it was the intention of the Government to undertake the same labour for China, and to allow their officers to serve a Government, whether that of the Emperor or of the rebels, in order to support and build up an effete dynasty and a decayed Power. If they had undertaken to help the Chinese Government to put down the Chinese rebels, they had entered upon a labour in which, on account of the distance from this country, it would be excessively difficult to persevere. It could not possibly be maintained, that if Captain Sherard Osborn was permitted to serve the Chinese Government, he should be still recognised as a British subject. If he then was not a British subject, in what capacity was he to be recognised? No doubt, officers serving under the British flag might perform duty in the Chinese waters, not for the Chinese Government but for the protection of our trade and interests in that part of the world. But it could not surely be the intention of this country to give to an individual who was in receipt of half-pay from the English Admiralty permission to serve under a foreign Government, and if he were successful in that service, to give him credit for his success; but if he were unsuccessful, to allow him to fall back upon the English Government and seek support from the English naval commander under whom he was not placed. Such a course would involve us in war. He presumed that the services of Captain Sherard Osborn were to be performed afloat. In what description of vessel was he to hoist his flag? In a lorcha, or in a junk, or in a vessel built in this country? If it was true, as stated by the noble Lord the Secretary to the Admiralty, that the position of Captain Sherard Osborn as to the services he was about to perform for the Chinese Government would be similar to that occupied by Sir Baldwin Walker whilst performing services for the Turkish Government, then the House ought to understand the liability they were undertaking in sanctioning the permission given to Captain Sherard Osborn to serve the Chinese Government.

MR. KINNAIRD said, Captain Sherard Osborn would not fall back upon the English naval commander for protection. Whilst he performed the work of putting down pirates in the Chinese seas, he would be recognised simply as an officer of the Chinese Government. The English Government had acted wisely in permitting Captain Sherard Osborn to strengthen the hands of the Chinese Government in the very desirable work of putting down piracy, which was rampant in the Chinese seas. By the Admiralty regulations, the officer of a British ship serving in the Chinese waters was not permitted to resent an attack upon any other than an English vessel.

LORD LOVAINE said, he wished to know if Captain Sherard Osborn would be in a position to found a claim for pay and promotion against the British Government for services under the Chinese Government?

COLONEL SYKES said, it was notorious that piracy was rampant in the China seas; but the blue-books presented to the House with reference to transactions in China did not tell the public that, in a military operation, our naval authorities could act in conjunction with a pirate chief. He held in his hand an account of the recent capture of the city of Ningpo by Captain Dew, of the ship *Encounter*, a commander in Her Majesty's service. That officer stated that he "found it necessary to capture the city and drive the rebels out;" but he did not state under what authority he did this, but spoke of an insult having been offered to our flag. His act seemed to be characterized by the wilfulness and lawlessness of the buccaneers of old. Captain Dew stated that the British flag had been fired upon, meaning, of course, intentionally. The public journals gave a somewhat different version of the affair. They stated that one of the rebel chiefs had arrived in Ningpo, and the Taepings had received him with a *feu-de-joie*. They had fired in the direction of the river over the French and English ships, and the whistling of musket-balls had been heard, but no one was hurt. That was the insult for which atonement was required. Captain Dew, not satisfied with an apology, required that a battery towards the river should be disarmed, and of course his demand was refused, for he had no more right to make it than he had to demand that the rebel troops should be disarmed. A notorious Chinese pirate, who had so large and powerful a fleet that the Imperial Government were never able to put it down, arrived in the river at Ningpo while these demands were being made, and came up in the midst of the English and other foreign ships. The journals state that an arrangement was immediately made by Captain Dew with the pirate, who had the ex-Governor of Ningpo on board, that the city should be attacked the next morning. The rebels returned the fire; and as the pirate fleet lay between the foreign vessels and the city, of course our vessels came in for their share of it. This was sufficient for Captain Dew—he bombarded, and stormed, and took the city. And whom did we put in possession of the city? This pirate chief, with all his followers. The result was that the people flew in all directions, seeking for Europeans to go into the city to protect their houses from being plundered by the pirates, our allies. On their return many found their houses only a heap of smouldering ruins, and their property, which had been in the hands of the rebels for five months without being molested, was now entirely destroyed or wholly at the mercy of the pirates, who were allowed three days for plunder. These statements, if true, were quite sufficient to show that in our conduct towards the Taepings we were enacting the fable of the wolf and the lamb. The lamb might be drinking at the upper or lower part of the stream, it was all the same, he was to be devoured. He also wished to ask a question respecting the property taken at the capture of Kah-ding. We had taken their plunder from the rebels, valued at some 130,000 dols., including the value of horses or ponies; but did we hand it back to the poor people to whom it belonged? Having robbed the robbers, we appropriated the spoil as if it were our own, and pronounced it prize of war. Turning next to the occurrences at Shanghai, he could not but describe the attack made upon the Taepings there by our force as uncalled for and unprovoked. The Taepings had repeatedly asked for our friendship; and if they had been allowed to enter and take possession of Shanghai as they had done at Ningpo, where there was not a single case of their having done any injury to Europeans, although there were some cases of Europeans having done injury to them, he believed that Shanghai would at that moment have been a free port, and the river there as safe and secure as the Thames. He would conclude by asking the questions of which he had given notice—namely, whether despatches had been received respecting the recent naval and military operations in China, and whether they would be laid immediately before the House; and whether the property taken at the capture of Kah-ding had been declared prize of war?

MR. WHITBREAD said, that in reply to the question of the noble Lord (Lord Lovaine) and gallant Member, he had to state that no claim upon this country was likely to arise on account of services performed on behalf of the Government of China. The notice to officers serving under the Chinese Government was as follows:—

> "Service performed under the Imperial Government of China will not be considered as service in the navy, as regards pay, time, promotion, &c. In the event of the senior officer in command having the power, under the Imperial Chinese Government, of awarding promotion in that service to officers serving under his command, the same will not be considered as a claim to promotion in the Royal navy. In the event of an officer being wounded in this service he will not be entitled to a pension for wounds; nor, if killed in

his action, will his widow be entitled to any more than the ordinary pension awarded to the widow of an officer dying while on half-pay."

DEFENCE OF CANADA.—CAPTAIN GRANT'S COOKING APPARATUS.

OBSERVATIONS.

MR. ADDERLEY said, he wished, before the right hon. Gentleman the Secretary for War rose to reply to the question that had been put to him, to make a few observations upon a most important subject. He could not but think that it was most desirable that Parliament should not separate without some distinct statement being made of the intentions of the Government as to the defence of Canada. It was their right and duty, as it was the right and interest of the Canadians themselves, to know what were the intentions of the Government in view of the possible if not probable danger of invasion to which they were exposed during the approaching winter. In the first place, he would wish to know whether the Government considered that Canada was exposed to any danger. If not, why were 12,000 British troops retained in that colony. If, on the other hand, in their opinion there was danger, to what did they look for defence against that danger? The noble Lord at the head of the Government had on recent occasions strongly urged upon the House the duty of protecting this country against invasion; but in respect to Canada, which was far more vulnerable, he had not urged any precautions either in this country or in the colony. At the commencement of last winter an extraordinary number of British troops were sent out in great haste to meet an apprehended danger, and to enable Canada to prepare her own means for self-defence. There was no Quixotic intention to defend Canada by means of forces sent from this country, nor to exempt the Canadians from military service; but the aid was sent to assist and to encourage them in preparing their own means of defence. He had taken some pains to ascertain when there had last been any understanding between this country and Canada as to the relative part each should take in defending the province in case of foreign invasion. The latest and most authentic understanding of that nature which he had found was set forth in the despatches of the Colonial Secretaries between 1851 and 1854. In 1851 Earl Grey, writing to Lord Elgin, said—

> "Canada now has self-government, which ought to carry with it corresponding responsibilities; the time is come for her to be called upon to take a larger share of her expenses. Her rapid progress in wealth and population makes it only due to the people of this country that they should be relieved from the charge imposed on them for the protection of a colony so well able to do much towards protecting itself. In this I am only reverting to the former colonial policy of this country. Up to the American Revolution the British colonies took the principal share of the burden of their own protection, and contributed to the military operations undertaken to extend the possessions of the Crown. Her Majesty's Government would have thought it right at an earlier period to revert to this policy in Canada but for commercial difficulties thrown in her way by British legislation. That has passed away. . . . . Canals have opened up the country on loans raised on the credit of the British Treasury. In future the troops maintained in Canada will be confined to the garrisons of Quebec and Kingston, and the maintenance of the canals, cut at the expense of this country, will be thrown on the provinces."

The Duke of Newcastle went further. He stated that in future a single regiment of infantry and two companies of artillery would be all the force sent from England. In 1854 the right hon. Gentleman now the Home Secretary wrote to Sir Edmund Head that there was a necessity for a clear understanding being come to, and that—

> "Should an invasion of Canada by foreign Powers occur, the most valuable aid to reinforcements supplied from this country would be afforded by an organized militia, such as her great population might now supply."

No one could deny that those views were correct views. It was laid down that a colony like Canada should maintain her own internal order in time of peace, and that when foreign war threatened her, the forces of the empire should rally in aid of the colonial forces. It was not for this country to exempt the Canadians from military service. It would be indeed astonishing that the eastern quarter of the empire should maintain an army, but that the western, reversing the usual order of things, should assume an oriental languor, and leave the centre of the empire to defend it. Canada could not plead poverty as an excuse for not taking the proper means to provide for her own defence. Neither did he think that the Canadians could say, what had been said for them, that the danger of last winter arose from English policy, and did not concern Canada. Surely Canada was affected by an insult to the British flag, that waved over the navy which gratuitously protected her, and in whose glory she participated without shedding a drop of her own blood. Nor can the Canadians deny the necessity to arm while they hug the reinforcements which represent that necessity, and which alone give them any feeling of security. When the troops were sent out in haste last winter, the noble Lord at the head of the Government expressed his belief in the patriotic spirit of the Canadians, and said the British troops were sent out to afford them time to develop their own powers of defence. But the expectation of the noble Lord had been disappointed. The colonists acknowledged that there was danger by the eagerness with which they hailed the arrival of the Imperial troops. But how did they express that feeling in action? They had done nothing. We, on our part, had shown our appreciation of the emergency by raising the number of our troops in the colony from a single regiment of infantry and two companies of artillery to 12,000 men. They had a militia of about 5,000 men, who were under drill six days in the year. Before the Select Committee which sat lately on the subject, the Duke of Newcastle said he was astonished to find that the Canadian militia constituted so small a force, and another official witness said that small as it was in number, it was still less in efficiency. By way of meeting the late emergency, however, the Canadians had added 5,000 more, increasing also the number of days of drill from six to twelve, reducing, however, the pay one-half. Thus they had shown us their appreciation of the danger and their opinion as to the extent of their own duty in meeting it. Their own Commission had stated that at least 100,000 organized and armed militia were necessary; and their own late Ministry proposed the organization and embodiment of a force of 50,000. The Governor General, Lord Monck, the other day at Montreal, had made a speech distinguished by manly sentiments and moderate language, saying as much as he could say under the circumstances, and telling the Canadians that they must prepare to take some share of their own defence, and that it would be impossible for this country any longer to consent to their contributing nothing, in either purse or person, towards the security of their frontier. There was never, probably, any occasion in which the governor of a free country had addressed in such terms the rich inhabitants of that country. The noble Lord at the head of the Government said, the other day, that though they had only 10,000 militia, all the Canadians were liable to be called out in case of emergency. That seemed to satisfy the noble Lord, and such an assertion of readiness and vigour in a colony excited a cheer in this House. But was that the way in which England had prepared herself against threatened invasion when Napoleon's camp was formed at Boulogne; or more recently, when it was only thought possible that her shores might be attacked? Was that the way in which the old English colonies defended themselves when they resisted, from their own resources, the arms of France and Spain, and never dreamed of asking for any English reinforcements, but resented the offer of interference? It was rather an Hibernian phrase to talk about sending reinforcements to Canada, because there was really nothing to reinforce; and things had come to a strange pass when the House cheered the statement that a prosperous part of the empire had expressed their conviction that they were in danger, declared that they should be glad to receive reinforcements, but, as to themselves, it was enough that they were liable to be called out. Why, what people on earth were not liable to be called out in case of invasion? If an enemy actually kicked their doors down, they must come out; but the question was, whether such a mere liability was worth anything by way of defence. The House of Commons deceived both themselves and the Canadians by flattering the colonists, as though the statement of that liability were any proof of vigour, or any guarantee for the security of their country. The question excited much interest, and there was hardly a newspaper which had not lately taken it up. A correspondent of *The Times*, who signed himself "Canadian," and undertook to represent Canadian feeling, expressed great surprise that this country was dissatisfied, and stated the principle which he thought ought to guide the relations between the Home Government and the colony. What that gentleman understood was, that Canada should assist in keeping internal order in time of peace, but that the duty of resisting foreign invasion should be undertaken by the forces of the empire. In submitting that proposition, he did not see, that if Canada was a part of the empire, Canadian forces ought to constitute part of the forces of the empire. When there was anything to be got out of England, he argued the claims of Canada as a part of the empire; but when invasion was to be resisted by the forces of the empire, England alone was meant. Warming with his subject, the writer then boldly compared the present preparations of Canada with those of this country, and said that a militia of 10,000 men in proportion to her population would be equivalent to 110,000 men raised in England. Had he the audacity or the ignorance to institute any comparison between the 10,000 militia drilled twelve days in a year, their arms and ammunition being supplied at the expense of this country, with the regular army, the militia, the volunteers, and the navy of England? That only showed how completely the Canadians misunderstood their position, and the relations existing between the two Governments, and how little thanks we were likely to get even if we could undertake their defence for them. The Mayor of Montreal spoke out more honestly after the dinner at which Lord Monck was present. Illustrating the old adage, *In vino veritas*, he said—

> "Canada might esteem itself a most fortunate community in being protected by one of the most powerful nations in the world, which sent them as many as might be required of ships and redcoats without rendering them liable in purse or person. No matter how many redcoats, the more the better, if they took not a single sou out of their pockets."

Such were the magnanimous sentiments of the Mayor of Montreal, after Lord Monck had tried to rouse a patriotic feeling among the rich inhabitants of that city. Certainly, if anybody wished to preserve the connection between the colony and the mother country, he should not lose a moment in trying to replace their present rotten relations by something more genuine and more substantial. Depend upon it, that mutual deception, though it might get them over the next few months or years, would vanish at the first moment of trial. No such relations could stand the test of an actual emergency, and one of two courses must be taken. If the English Government had made up their minds to undertake the defence of Canada by troops sent from and paid by this country, the number of troops in the colony must be increased immensely. Even if the present extraordinary number were quadrupled, the force would still be a most inadequate one for such an undertaking. But who would undertake to defend, with any amount of forces, a country which would not defend itself? As matters stood, we were in a most critical position with regard to Canada. It was an utter impossibility to defend the colony with 12,000 British troops. To suppose otherwise was only to deceive ourselves as well as the Canadians. If invasion came, the loss of Canada was absolutely certain, and that was not all. We should lose our troops, should bring upon ourselves disgrace and disaster, and then involve the country, on a point of honour, in a hopeless war without an object. What was the other course open? That which Lord Grey recommended the other day in another place—namely, that not a moment should be lost in causing the Canadian Parliament distinctly to understand that it must reconsider its refusal of internal defence and institute more valid preparation, or before winter the British troops which had been sent to aid the formation of their militia should return to England. In that respect Lord Grey did not speak without experience; for when Australia formerly would not listen to the proposal to pay a portion of the expenses of the British troops there, he had himsalf, as Colonial Minister, let it be known that the troops would be immediately ordered to return home. The consequence was that the people of Australia immediately came into the terms first proposed by England; and there could be no doubt, that the embarkation of the first British regiment for the purpose of returning from Canada to England, would make Canada take a very different view on this question. The Canadians could not decently complain, for it would be only taking them on their own plea of the non-necessity of arming. He should have liked, had circumstances permitted, to move an Address to the Queen, praying her to send instructions to the Governor General of Canada, to call together again the Canadian Parliament, and submit to the members measures of better preparation, making them clearly to understand, that in the event of such measures not being adopted, the British troops in Canada would be recalled; but he felt that it would be absolutely useless for him, within five or six days of the prorogation, to offer any such proposition to the House. However, to prevent the country being left in the dark on the subject, his only alternative was to raise a late discussion, and to throw the whole responsibility of what might happen in the winter on the noble Lord at the head of the Government.

The present state of things could only last, he believed, till trial came; and if an emergency occurred during the approaching winter, Canada would be inevitably lost to this country. If no emergency occurred, the connection might last in mutual deception for some time longer; but whenever the trial came, the separation of Canada in its present condition from this country was inevitable, and would, if Ministers only chose to trust to the chapter of accidents for the crisis, be attended with bitter feelings and disastrous consequences. He therefore called on the noble Lord at the head of the Government to state what were his intentions. Let the noble Lord treat the case in a dignified way; and if he really meant that the loss of Canada was not to be cared for, he should boldly let the Canadians know that in time; so that amicable arrangements might be made on both sides for the interests of Canada and for the honour of this country. But if the noble Lord agreed with him that the severance of Canada from this country would be a mutual misfortune, and that abandonment of empire should not be contemplated by him as a Minister of the Crown, there was no time to be lost in removing every obstacle to the formation of a sufficient basis of local defence.

MR. ARTHUR MILLS said, he substantially agreed with what had fallen from the right hon. Gentleman, but he differed from him respecting the course which ought to be pursued. He did not think it would be advisable to adopt the course recommended by Earl Grey and send out instructions to Canada, declaring that unless the Canadians took steps for organizing an adequate militia the Imperial troops would be withdrawn from that country; for such a course might be taken as a sort of dictation to the Canadian Parliament. He thought they ought to avoid all appearance of dictation towards the Canadian Parliament. No doubt the Militia Bill it had passed was one that in the opinion of every person in this country who had paid attention to the subject was wholly inadequate; but if he were a member of the Canadian Parliament, though he might feel ashamed of that Bill, he might hesitate to obey an edict of the Imperial legislature. It appeared to him most important that the executive Government at home should rather take a line of dignified inaction on this subject, giving the Canadian Parliament an opportunity of reconsidering what it had done in respect to that miserable Militia Bill, which it had passed. In his belief, the Canadian Parliament did not represent the Canadian people on that matter, and he should like that people to have a practical opportunity of expressing their opinion. This was not so much a question for the taxpayers of this country as for the safety of the Canadians themselves; and the time would shortly come when they would see, that if this country were able to send out to Canada 50,000 or 60,000 troops, that force would be useless for the defence of the frontier, unless it was backed by a strong and numerically sufficient militia. Still, if an edict were sent out to the Canadian Parliament to reconsider its ways, and it refused to alter its determination, the home Government would be placed in an absurd and ridiculous position. The House of Commons had recently passed a resolution declaring that the Imperial Government would protect the colonies against all perils to which they might be exposed in consequence of Imperial policy. Now the British troops in Canada were sent to protect the Canadians against the consequences of Imperial policy; and unless those perils had passed away, it was almost impossible for any Government at home to recall the troops; or if they recalled them, they might have to send them back again. Therefore, it was very desirable that the Government should act with great deliberation in this matter. It was quite obvious that to raise 10,000 militia, who were to be called out for six days in the year, was a measure by no means adequate to the exertions which England was making for the defence of Canada by the aid of taxes drawn from a people who were suffering under a special degree of pressure. At the same time, the opposition to the Canadian Government did not prove that there was any unwillingness to provide a proper militia. It had been brought about by one of those political combinations which were not unknown in the mother country, and it was simply an opposition to an unpopular government, which had been jobbing in every direction, and which deserved to be opposed. He (Mr. A. Mills) agreed that the present cost of protecting Canada was something quite monstrous. This very year the mother country would be paying something like £1,250,000 for that purpose. It was time that an end should be put to the system of nursing up our colonies in a state of reliance upon the resources of the mother country. It was manifest, that if ever we became entangled in a quarrel with America, when we had at the same time a mutiny in India, or a Russian war, or when we were menaced on the Continent, it would be utterly impossible for us to pour into Canada a force sufficient to meet the troops which, with the railway system in operation in the United States, might be brought against them. As an owner of property in Canada, he should feel that the safety for it to be derived from assistance from the mother country would be as nothing compared with the security which the establishment of a local force numerically and in point of efficiency capable of defending its own territory would confer.

CAPTAIN GRANT'S COOKING APPARATUS.

QUESTION.

GENERAL LINDSAY said, that with reference to Captain Grant's cooking apparatus, to which he had called attention on Tuesday last, he wished to observe that the Motion which he had then made with respect to it had been defeated only by a majority of one, while he would go so far as to say that, had not the Government had special reasons for keeping a large number of its supporters in the House, in order that no obstacle might be thrown in the way of the introduction of the Bill to make provision to meet the distress in Lancashire, he should have defeated them on the occasion in question. That being so, he wished to ask the Secretary for War, Whether he had any objection to the appointment of a Committee to investigate the claims advanced by Captain Grant? He was sorry that that officer had thought proper to address a letter to the right hon. Gentleman and to the newspapers on the subject since Tuesday, inasmuch as he thought it would have been much better to leave his case in the hands of the House of Commons? He asked the question which he had just put to the right hon. Baronet, simply in the discharge of what he conceived to be a public duty, and he trusted he would have no objection to the appointment of a Committee of practical men, by whom the advantages of Captain Grant's system might be thoroughly examined.

SIR DE LACY EVANS said, he agreed with the gallant General that the Government were completely committed to making Captain Grant a handsome reward for an invention which was made use of by 100,000 men, and which had received the approval of the highest military authorities. He could not conceive, in fact, how the Government could reconcile itself to the course it had adopted; and for his own part he thought that £5,000 or £10,000 would be only a reasonable and fair sum to award to the gallant officer for his invention.

But, turning from that subject to the more important question of the military policy it was expedient we should pursue towards our colonies, he might observe that he agreed with the hon. Member for Taunton in thinking that we had hitherto been nursing them in a manner not calculated to do them permanent service. If the colonies were led to rely on the conviction that the whole power of the mother country would be brought to bear for their defence whenever the slightest danger threatened them, it was quite obvious they were likely to remain, so far as making provision for their own protection was concerned, in a very unsatisfactory state. The hon. Member for Taunton maintained that it would betray great inconsistency on the part of the Government to withdraw from Canada the troops which we sent there last winter. He did not agree with that opinion. The act of the Government in sending reinforcements to Canada was a fair and just measure; because whatever was the danger with which they were threatened at that time, it arose from Imperial, and not from Colonial policy. But was there any such danger now? He did not think there was; nor was there likely to be for three or four years to come. There were many Members of that House who were better acquainted with America than he was, but he was strongly of opinion that the boasting articles in the American newspapers, intimating that the Federal Government had nothing to do but to reverse the heads of its columns from the South and march into and take possession of Canada spoke of that which was wholly impracticable. In truth it was impracticable then, and it was still more impracticable now. The American Government, powerful as it was, enthusiastically as it had followed up the war with the South, had no means at present of making war upon either Canada or England. Canada, with a population of 2,500,000—a population nearly as great as was that of the United States when they successfully resisted the power of the British Empire, if true to itself, might defy all the efforts of the American Government to subdue it. He saw no objection, therefore, to Her Majesty's Government recalling these troops, and they had even ample excuse for so doing in the course taken by the Canadian legislature with regard to the Militia Bill. But his hon. Friend had suggested that if the Canadian government were to come forward with an adequate measure, they ought to continue to leave the troops there. He (Sir De L. Evans) was of opinion that any such understanding would be a very inconvenient course to enter upon, for the Imperial Government was hardly competent to lay down rules for its policy applicable alike to all its colonies. He confessed that he thought there was no ground for leaving these troops in Canada, even though the Mayor of Montreal had said, and most truly, that they would be glad to have as many red-coats as they could get at the expense of England.

MR. ROEBUCK: Sir, I am sorry to interpose between the House and the consideration of a cooking apparatus; but when the great interests of a great empire are concerned, I may be pardoned for offering my opinion upon a matter of which I think I have some knowledge. The first thing we have to consider is, what is the feeling of the people of Canada with respect to England. My opinion is, that the people of Canada have been led to believe that we consider them of such wonderful importance that we shall undertake any expense to maintain dominion over them. What I want them to understand, and what I want our Government to make them understand, is that we do not care one farthing about the adherence of Canada to England. We have never drawn from our colonies anything like tribute. Other nations do at this moment derive tribute from their colonies, but we have never done so. The only chance of benefit we ever expected from our colonies was perfect freedom of trade. What has Canada done in that matter? The Canadians have laid 20 per cent upon the introduction of all English manufactures into their country, thereby following the bad example of their friends on the other side of the St. Lawrence. I want them clearly to understand that England has no benefit from her connection with them; and that if we maintain, not our dominion, but their independence, it is for their advantage and not for ours. There is nobody in this country who is in a position to speak with more freedom than myself with respect to Canada. Many years of my life were spent in that country. I have intimate relations with it now; but though I do not love Canada less, I love England more, and my opinion is, that if to-morrow we were to get rid of Canada, England would not lose a single farthing of benefit. But the position of Canada would be very different. When the hon. and gallant Member for Westminster (Sir De Lacy Evans) says that the United States cannot overrun Canada, I must say that I think he has studied history to very little purpose if that be his real opinion. I quite agree with the noble Lord in another place, who said that if the Federal Government were victorious to-morrow, they would turn round upon England, and the first thing they would do would be to pour their armies over the St. Lawrence into Canada; while if they were to be defeated in their struggle with the South, out of mere vengeance they would do the same thing. What would be the consequence? Canada, ceasing to be what she is now—a powerful and independent people, governing themselves, doing exactly as they like with their own, would be under the dominion of an overbearing and overpowering democracy. She would be one among what were once thirty-seven United States. Her people would have one or two votes in the American Senate; whereas now they govern themselves, for England has given up dominion over them, and all we do is to send our soldiers — those redcoats whom the Mayor of Montreal talks about—to protect their independence. I want the Canadians clearly to understand that England would not be sorry to see them depart from her to-morrow. They do us no good, or, at least, not more than New York; they do not even receive our manufactures, and they treat us like aliens. We have been told that the House of Commons should not dictate to the Parliament of Canada. Do we ever dictate now? I have stood up in my place against the dictation of this House to the people of Canada, but that system has been abandoned long ago. We have, on the other hand, gone too far in the opposite direction. The very veto of the Crown is entirely ignored, and that which we ought to have done—namely, protect the manufacturing interests of England—we have ceased to do. I say, therefore, we are now bound to look after the interests of our constituents, and I shall be the very last man to lay one farthing of expense upon the poor people of Sheffield in order to maintain the independence of the rich people of Canada.

SIR GEORGE LEWIS: With regard to Captain Grant's invention, I will only say it would have been my wish to give a fair consideration to the subject. The demand which he makes is not merely one for the recognition of the utility and merit of his invention, but it is a demand for a large sum of public money, fixed by my hon. and gallant Friend below the gangway at from £5,000 to £10,000, and by himself at from £30,000 to £40,000. The information I have received leads me to doubt whether any such considerable economy as Captain Grant states, or anything approaching to it, has been produced by his improvement; but in consequence of the opinion expressed by a nearly equal division in this House a few days since, I shall be ready to cause the subject to be investigated, with the view of seeing whether he is entitled to any reward. With regard to the question put by my hon. and gallant Friend the Member for Aberdeen (Colonel Sykes), I can only say we are not in possession of any such information as he refers to, beyond that which has been inserted in the *Gazette* — the despatches from the naval and military commanders in chief. With regard to the question of the military force in Canada, I am desirous of recalling the attention of the House to the position of affairs before Christmas last, because it is impossible to arrive at any sound and practical conclusion on the subject unless we go back to that period. Canada was then in its ordinary military position. It has a force of volunteers and a militia; but it never was the custom of our North American colonies, or, indeed, any colonies of British descent, to keep a standing army in time of peace. The practice in Canada was similar to that followed by the United States in time of peace—to maintain only a small, and not very effective militia. The House well remembers the alarm of the disruption of friendly relations with the United States which occurred in the course of last winter. The cause of that alarm was a misunderstanding with a captain of the American navy boarding a ship bearing the English flag. This was an affront to the English flag; but it was a question of purely Imperial interest, in which Canada was not directly concerned, and in which she was only indirectly interested as part of the British empire. If Canada had been invaded in a war arising from the United States in consequence of that quarrel, the feelings of the Canadians would naturally have been that they were involved in a quarrel in which they had no direct concern, and that it was incumbent on the Imperial Government, through connection with which they were engaged in hostilities, to give them effectual assistance. The Government anticipated that the effect of a war with the United States would be the invasion of the Canadian frontier, and therefore they sent out a reinforcement of troops. The policy of that measure was discussed when the Supplementary Estimate was produced at the commencement of the Session, and it received, I think, the general assent of the House; it is therefore unnecessary to argue in support of the reinforcement which was then sent out to Canada. It is true that the arrival of these troops was the cause of great satisfaction to the Canadian people. They were received with hospitality and kindness, and much loyal feeling was expressed at that time. But then, be it remembered, that an immediate invasion of Canada was generally apprehended, and the troops arrived before it was known that the dispute arising out of the affair of the *Trent* had received a pacific solution. Since that time the contest between the ancient United States and the Confederates in the South has proceeded; great confidence was expressed by the Washington Government that they would be able to suppress what they denominated the rebellion in the South in a short period. They have fixed various times, consisting of months, or even of weeks, when this rebellion would be suppressed; but these prophecies have not been fulfilled, and at this moment we know that the contest seems further from a termination in favour of the North than it was at the beginning of the year. Under these circumstances, the hopes that Her Majesty's Government confidently entertained in the winter that the Canadian Government and people would make energetic efforts for their own defence, calling out their militia, and passing an amended Militia Bill, have, perhaps, not altogether unnaturally, been in some degree disappointed; because there is no doubt that the alarm of an immediate invasion which the Canadians felt early in the year has by subsequent events been greatly diminished. It is true, as my hon. and gallant Friend (General Sir De Lacy Evans) stated, that at present they do not anticipate any immediate danger of invasion, nor do Her Majesty's Government think, looking to the state of the contest between the North and South—looking to the manner in which the affair of the *Trent* was treated by the Government of the United States—looking generally to the complexion of public affairs in that country, that there is any immediate probability, under any circumstances, of the rupture of pacific relations with the United States. The Government of the United States must be well aware that an invasion of Canada is not merely an invasion of Canada, it is a war with England ; and, of course, if the United States were to seek a war with England, and originate a ground of dispute and invade British territory, they would look forward to interference with the Southern blockade, by the British fleet, the raising of the blockade, and the entire reverse of much of the state of things with the South which now exists. Giving them credit, therefore, for ordinary prudence under trying and difficult circumstances, nothing at present seems more unlikely than that the United States should voluntarily originate a war with so powerful a nation as England, and one possessing so effective and disposable a fleet. Under these circumstances, even although the Canadian Government, contrary to our expectations, contrary to our wishes, contrary to the policy which Lord Monck, the governor, has expressed, and which has been admitted by the people of Canada, have not made those efforts which they ought to have made for strengthening their militia, still, Her Majesty's Government do not think that any ground exists for regretting having sent out reinforcements to Canada. But then we are told that we ought to take efficient measures for reducing our troops in Canada, and compelling the Canadian Legislature to establish an effective and numerous militia. There are two ways in which that compulsion could be applied. We could propose a Bill to Parliament to legislate for Canada and to compel them to establish a sufficient militia. The right hon. Gentleman (Mr. Adderley) himself does not propose any measure of that sort. My hon. and learned Friend (Mr. Roebuck) very truly said that for many years we have given up legislating for the internal affairs of Canada, and I can hardly think, looking to the principles of colonial policy which have been sanctioned by this House, that any hon. Gentleman will propose, or approve a Bill if proposed for that purpose. Well, but if not legislating directly, seeking to accomplish the object indirectly would seem to me infinitely more objectionable than direct legislation. The right hon. Gentleman proposes a penal withdrawal of our troops from Canada—that is we are to say to Canada, "Because you have not established a sufficient militia for the protection of your frontier we will punish you by withdrawing our troops and leave your frontier wholly undefended." That is a policy which the right hon. Gentleman deliberately proposes as a dignified and reasonable course for England to adopt towards Canada. I confess I can hardly conceive anything more unworthy of the Legislature of this country, or of the Government of this country, than such a vindictive proceeding. If we are deliberately dissatisfied with the Legislature of Canada—if we think that sufficient time has been given to them to reflect on what appears to have been a hasty decision, influenced by party considerations, and dictated by the motive of turning out a Government; for no doubt the division on the Canada Militia question was produced by a temporary combination for the purpose of bringing about a change of Government. ["No, no!"] Well, I speak on very good information and authority when I affirm that the main motive for the division was the desire to turn out the Government for the time being, and to improve the opportunity of forming a combination with the Lower Canadian party. If this House thinks that sufficient time has been given to the Canadian Legislature to reflect on that decision, and that their policy had been deliberately adopted, and if we are determined to throw the entire defence on the colony, and that the mother country should not take any considerable share in it, our proper course would be either to give them a long notice that we intend to withdraw our troops, or pass an Imperial Act compelling them to create a sufficient militia of their own. I have already said that I think under existing circumstances in the United States, there is little probability of an immediate invasion of Canada, and I will only suggest to the House, that although it is an unquestionable and lamentable fact that great irritation exists on the part of the people of the Northern States against England—an irritation, which, I may say, was as undeserved by the course which the

Government have pursued towards the United States, as it was wholly unexpected—yet that irritation has been mainly caused by the recognition of the Southern States as a belligerent power. There may have been minor causes of irritation, but undoubtedly the main cause of the irritation that has existed has been the recognition by this country of the Southern States as a belligerent power. I cannot but think, as this contest proceeds, that the people of the Northern States, notwithstanding the excitement and the disappointment which the course of events may produce, must see upon reflection that England had, in fact, no other alternative than that which she adopted. It was necessary for Her Majesty's Government to consider not only the feelings of the country, but also the international relations that are created by the existence of a great war. If the people of the Southern States had been regarded as rebels, their ships fitted out as privateers must have been treated as pirates by England; and it was only by recognising the South in its real character as a belligerent that insoluble difficulties connected with the law of nations have been avoided. And really, Sir, I can hardly understand why the Northern States should so much resent the recognition of the belligerency of the Southern States, when I remember, that according to their own repeated declarations, they have an army of between 600,000 and 700,000 men on foot, and that after the recent battle near Richmond the President has made an appeal for an addition of 300,000 men to that large force. The mere statement of these numbers is surely sufficient to prove that the Power against which all these mighty preparations are made at least deserves the name of a belligerent Power. It is impossible to conceive that they can be correctly designated as a mere casual agglomeration of rebels. The resistance to the authority of the United States has acquired a firmness, a compactness, and a consistency, which justly entitle the persons composing it to the name of a belligerent Power. I cannot, therefore, but think, that taking all these very obvious circumstances into consideration, the Northern States will see that the only important step with reference to this matter taken by England was not only justifiable, but inevitable. Before I sit down I will only make one allusion to the remarks of my hon. and learned Friend (Mr. Roebuck) upon our future relations with Canada. I, for one, can only say that I look forward without apprehension—and, I may add, without regret—to the time when Canada might become an independent State; but I think it behoves England not to cast Canada loose, or send her adrift before she has acquired sufficient strength to assert her own independence. We should not, by any acts of momentary irritation or ill humour which might throw her into the arms of the United States, place her in a position in which she would become annexed to a Power involved in a serious contest, and which has lately added millions and millions to its national debt. I think this would be a moment most unfortunately chosen for any act of that kind. The feelings of the Canadian people as shown upon the arrival of our troops in the winter were, undoubtedly, those of attachment and loyalty to the mother country. I do not believe that the recent vote with regard to the Militia Bill was the result of any deliberate policy or deep-seated design. It was accidentally thrown out by the play of party politics; and I cannot but wish to impress upon the House that any measure, such as the right hon. Gentleman recommends, of a menace on the part of England, that under certain circumstances, if they do not take efficient steps for organizing a powerful militia, our troops will be withdrawn, would be unworthy of this country, and would seem to be the result rather of hasty displeasure than of that dignified and prudent forbearance which has always been the characteristic of the Imperial policy.

Mr. T. BARING said, that being in constant communication with Canada, and having much correspondence with that colony, he was informed that a feeling had recently arisen in that province, and was increasing, that there was a wish on the part of a great portion of that House to force upon it a precipitated separation from the mother country. And he must say, if anything could strengthen that feeling, it would be the recurrence of speeches like that of the right hon. Member for Staffordshire (Mr. Adderley) and the hon. and learned Member for Sheffield (Mr. Roebuck), telling the Canadian people that they had not the least desire that they should loyally adhere to their allegiance to the Sovereign and their attachment to this country; that they wished they would separate entirely from England, and that they would see that separation not only without regret, but with satisfaction. He would not enter into questions of colonial policy. He believed that colonies might be a source of wealth and power to the mother country; that the union between the two might be one of mutual benefit; that it might be maintained without an extravagant expenditure; but to say that such a connection was merely a question of *£. s. d.* was quite unworthy of them, when they had, to a certain extent, to protect their fellow-countrymen, and had, at least, to regard them as their fellow-subjects until they themselves desired to separate from the mother country. Certain speeches which had latterly been delivered in another place, together with the tone of the public press, were calculated to make the Canadians believe that in this country there was no kindred feeling towards them—a result which he thought was much to be deprecated. The measure which had been referred to was defeated from a party manœuvre, without pledging the province to any policy of hereafter refusing to establish a sufficient militia, and with the expression, at the same time, on the part of those who opposed it, that they were in favour of a militia that should co-operate with the English troops in defence of the common country. These persons, he believed, would at this moment rise as one man in support of their union with England, and they had shown that when questions, not merely of colonial, but of Imperial concern arose, and when they would have suffered all the injury of invasion, they did not shrink from expressing manfully their hopes for the success of England and her colonies. It was said, "Leave Canada entirely to herself;" but as long as they wished to remain British subjects that was not language which ought either in honour or duty to be held to the Canadian people. He was convinced that Canada felt so much the advantage of her connection with England, that without burdening our resources, she would adhere to us from sentiments of loyal allegiance. To say therefore that because a certain legislative move in the Canadian Chamber, the object of which was the removal of a Ministry, had been carried out, they were to force the colonists into a separation by threatening to withdraw their troops, would be not only dishonourable to this country, and contrary to precedent, but would be a course against which the people of this country would strongly protest. It had been said that it was quite right to turn out that Ministry, because it was a jobbing Ministry. He believed it was always thought right to turn out any Ministry, and there was hardly any Ministry that was not occasionally accused of jobs. He knew some of the Canadian Ministers who were alluded to, and believed they were incapable of such acts. But that was not a question which the House had to investigate. The Canadian Parliament had exercised its right in refusing to accede to a measure from hostility to those who proposed it; and there was nothing to show that they were opposed to an adequate militia. The right hon. Gentleman who spoke last confirmed him in his hopes and belief that there would be no war between this country and the United States. There could be no war between those States and Canada. If they attacked Canada, it would only be in order, through her, to make war upon England. He thought no event could occur so detrimental to both countries or to civilization itself, as a war between England and the United States. Yet due provision ought to be made against every casualty and contingency. In the present unsettled state of affairs in the United States they ought not to withdraw their troops from Canada; and that colony would, no doubt, soon provide a sufficient militia. The hon. and gallant Member for Westminster said that there was no chance of war with the United States, and therefore they ought to withdraw their troops from Canada; but that statement went to justify the Canadians for declining to increase their militia. But, while he hoped there was no probability of war, there was always a chance of some collision between this country and the United States; and when that did occur, the Canadians would be the first to feel the shock of war. Still they would be always ready to do their duty in defending their country. He might also remark that it was the financial difficulties arising from the disturbances in the United States that had prevented Canada from removing those duties upon British manufactures which were justly complained of, but which were levied for purposes of revenue, and not for protection. That was not the moment at which to coerce Canada. The right policy was to conciliate, as he believed that by conciliation they would be more likely to gain their object than by threats.

Sir MINTO FARQUHAR said, that

having lately had an opportunity of conversing with a distinguished Canadian gentleman who had expressed great regret at the irritated feeling which appeared to exist in this country against the colony, he would call the attention of the House to the subject. The Militia Bill, which was thrown out by the Canadian Parliament, was discussed a considerable time—some six months, at all events—after the panic which took place on the Mason and Slidell affair, which led to the supposition that there might be an immediate war with America, had passed away. From the details of the Bill he understood that it was considered by those who opposed it, that Canada would not have derived a benefit commensurate with the expenditure. He had also been informed, that when the question was discussed in the Canadian Parliament, the Government which introduced it refused to give estimates of the cost which would be incurred by it. Further, he was told, that had the Bill passed, the expense to Canada, instead of being from £400,000 to £500,000 in the first instance, would in all probability have been £700,000, and that without including arms which it was expected England would have sent over to them. At that time there existed a strong opposition to the Government in power, and the Militia Bill most unfortunately was made the question on which the issue was taken of displacing the Government. Well, that was not an unusual course even in this country. It was not a hundred years ago that they had heard of an English Government turned out of power because it was said that they were not the proper Government to carry a Reform Bill, and that their foreign policy was contrary to the feelings of the country. It was well known, too, that the very Government which followed, and which was specially sent into power to carry a Reform Bill, dropped the Bill, let it go by, and with regard to foreign policy, stated that they should continue in the steps of their predecessors; and if such things could happen in a British, why not in a Canadian Parliament? Of late years we had acted liberally towards our colonies, and had given them self-government; and, in consequence, he believed that at no former period were the colonies more closely attached to the mother country. He was assured that those members who defeated the Government on the Militia Bill in the Canadian Parliament, did so on its own particular merits, and were quite prepared to support a militia better proportioned than the present to the population and means of the colony; and, indeed, the whole people of Canada had shown in the strongest manner their loyalty to the Crown of England. Immediately after the Trent affair became known, and before anything had been heard from England, 300 of the principal inhabitants of Canada formed themselves into a Committee to promote the formation of Volunteer corps for the defence of the country, and in Montreal 3,000 citizens enrolled themselves as Volunteers. If war had then occurred, it would have been a war for Imperial purposes, but Canada would have lent us its best assistance in that war. He considered that the colonies of England were her glory, and took great interest in Canada, and lamented the tone of some speeches that had been made in that House and in another place, and the tone of the press upon this subject; for he did not think that a threat to do something if Canada would not do something else was a good way of promoting good feeling, or of obtaining our object, but could not fail to irritate a most loyal and intelligent people.

VISCOUNT BURY said, it was impossible to deny that Canada had not done all that she should have done in the matter of defence. What had been done could only be regarded as an instalment, and he felt convinced that in the next Session of the Canadian Parliament something more would be done. But, at the same time, he must strongly deprecate the tone and manner of many speakers in that House and elsewhere, and of writers in the press, which could only irritate a country every man in which, he firmly believed, was loyal to the Queen of Great Britain. It might be that Canada should do more than she had done, but it was not right to address her in language of contumely and insult. The hon. and learned Member for Sheffield had said that England would not be one penny the worse if Canada were separated from the British Crown. That might be true, but it was not a matter to be regarded solely in an £ *s*. *d*. light; it must also be regarded from a statesmanlike point of view. England and her colonies formed a vast confederacy upon which, as Daniel Webster had poetically expressed it, "the sun never set," and which ought not to be broken up by ill-considered speeches. He had noticed that those Gentlemen who talked most glibly about giving up Canada because she had exercised her own rights ever her own expenditure were the very persons who, when the subject of defences for this country came under discussion, exercised to the full their right of criticising the expenses, and of endeavouring by all means in their power to keep down expenditure. Canada had exercised her right ; her members lived under a constitutional Government, and were responsible to their constituents for the outlay they sanctioned. The Bill for raising 10,000 militia was only an *ad interim* measure, brought forward by a gentleman unconnected with the Government while the members of the Government were being re-elected, and it would probably undergo considerable changes in a future Session. The Canadian system of finance was not founded upon a satisfactory basis; and probably, if the Colonial Government could put their hands upon a balance, instead of having a deficit, they would be more liberal in providing for their own defence. The right hon. Gentleman had alluded in contemptuous terms to the loyalty of the Canadian people, but what happened in the war of 1812 furnished a convincing reply to any such remarks. At the beginning of the struggle we had only about 900 regular troops in the province. Sir Isaac Brock, then in command, issued a proclamation calling to arms the loyal subjects of the British Crown, and in a short time he had under his command an overwhelming force. In the campaigns of 1812 and the two following years about fifty fights took place, and at the end of that period not a single foot of British soil remained in the hands of the Americans. General Scott and many of the invaders were taken prisoners ; the battle of Queen's Town Heights had been gained, along with many others ; the Canadian militia, assisted by the small force of regulars, drove the enemy across the frontier, and retaliated upon American ground. Canada was saved mainly by the ancestors of those who were now taunted with want of loyalty ; and the Duke of York issued an order in which he expressed his high sense of the conduct of the Canadian militia, which, he said, mainly contributed to the success of the British arms, and the future security of the British empire in North America. The present Canadians came of the same stock with the men who fought thus gallantly, and he was quite sure, that if they were threatened by invasion, they would rise as one man. The same spirit animated them, along with the same devotion to the British rule. At present the organization of the militia was very much what it was in 1812. The country was divided into districts ; regiments were organized, a sufficient number out of each regiment were assembled, armed, and clothed to form flank companies ; and now there were in Canada men who would form a nucleus round which a numerous force might rally. The total number of enrolled militia in Canada was 600,000 ; and, taking one man in ten, that would raise a very large force for the defence of the colony. The late Government proposed to raise 50,000 men. When the present Government came into office, they found a deficit of 5,000,000 dols. per annum. They were pledged to retrenchment, and, under such circumstances, would any Chancellor of the Exchequer have recommended an expensive scheme as to the practical working of which there were two opinions. For not only was there a difference of opinion as to whether so large a force was desirable, it was doubted also whether the scheme itself was a satisfactory one, and whether it would not interfere too much with the volunteer organization which had been set on foot during the *Trent* affair, and had made great progress all over Canada. That was one of the reasons which induced the Canadian Government to pass an *ad interim* measure, with a view of reconsidering the question on on a future occasion. He would remind hon. Gentlemen that, besides the 10,000 militia, 13,000 volunteers were already enrolled, and these, like our own Volunteers, had been hard at work and had drilled themselves into a state of considerable efficiency, so that Colonel Lysons, who was sent out officially from this country, reported that they were quite as intelligent and as far advanced in discipline as those in England. Thus there were available for the defence of Canada 23,000 men, among whom were fourteen troops of cavalry and twenty-nine field-guns, properly equipped and ready to take the field. He quite admitted that Canada must do more than she had hitherto done, but the efforts which she had already made had certainly been undervalued. A fortuitous combination had turned out the late Government, with no particular feeling of hostility to the Militia Bill, and certainly from no want of loyalty to the British Crown. A new Ministry had come in, committed to a policy of retrenchment, with a deficit of 5,000,000 dols. upon a revenue of 12,000,000 dols.; and, under these circumstances, it would have been the height of madness for them to have proposed, at the fag end of the Session, any very large and expensive measure. That must be done when the Government had had time to look about them, and restore the financial equilibrium of the colony, and then he was certain that the Canadians would come forward as loyally and as heartily as the right hon. Gentleman himself could desire, and put the country into a state of adequate defence.

MR. DISRAELI: Sir, I cannot contemplate with the same feeling of indifference as the Secretary of State a separation taking place between this country and Canada. I think a great empire, founded on sound principles of freedom and equality, is as conducive to the spirit and power of a community as commercial prosperity or military force; and therefore I should be very sorry under the present circumstances, after all that has occurred, to suppose that the connection between the mother country and this important colony should end. The resources of Canada are great and various. It has had the advantage of having been colonized during centuries by two of the most distinguished nations of Europe. Canada is, in fact, a reflex of those two powerful races, differing in their manners and even in their religious opinions; and therefore has many of those diverse elements which tend to change in due season a mere colonial into a national character. I do not think that the importance of Canada can be overstated, but, unfortunately, we feel every day more and more that the relations between the mother country and those colonies in which what we call self-government has been established are not altogether of a satisfactory nature. That self-government was for a long time so obstinately refused by the mother country, and in the end so precipitately conceded, that I will not say the terms, but the principles on which the new relations between the mother country and the colonies hereafter should be regulated were never sufficiently examined and matured. There were two principles on which the new connection might have been established, and which could not have been contested at the time when that self-government was formed and sanctioned. One was that every colony should adopt reasonable measures of self-defence; and the other, that there should be between the colony and the mother country free commercial intercourse. I do not believe that at the time either of those principles would have been controverted, or refused by any colonies belonging to the English Crown, and now enjoying the blessings of self-government. It is impossible to deny that the heedlessness with which this great boon was conceded by England has brought about a very unsatisfactory state of relations between this country and those colonies to which self-government was granted; and this is especially remarkable in the case of Canada, from its great and preponderating importance; but I do not very well perceive how we can suddenly and hastily adopt a remedy for these evils. They are, in a great degree, the creation of our rashness and carelessness, and we must trust in the case of Canada, as well as in the case of other colonies similarly situated, to the spirit and sense of the inhabitants, and in a great degree to the character, talents, and resources of the governors whom we send out. It is the greatest error in the world to suppose that because those communities are in the possession of the inestimable blessing of self-government their destiny will not be greatly and most advantageously influenced by men of eminence sent by the mother country to preside over and regulate their affairs; and at no time in the history of this empire ought the appointment of individuals to great colonial posts to be watched with more jealousy and scrutinized with more vigilance by Parliament than at this period, when there has been conceded to these colonial communities the power of self-government. In respect to Canada, I trust to the influences I have adverted to—I trust to the sense and to the spirit of the inhabitants, and to the abilities of those men whom Her Majesty may be recommended to send out as governors. I protest against the discussion, on occasions like the present, of Canadian politics. When I understand that the Parliament of Canada has come to a certain resolution, I accept it as the resolution of the Parliament and people of Canada; and I protest against any one rising in this House and telling us that, from secret information, he is cognizant of the reason why a certain vote has been carried. I find it difficult, in respect to divisions in this House, to trace on all occasions the causes which influence them;

and therefore I think that it would be more safe, and certainly more respectful to the Canadians, for us to assume that the vote of their Parliament is one which represents generally the opinion of the Parliament of Canada, and of the people by whom it is elected. The Secretary of State contemplates the possibility—and more than the possibility, for he informs us that under certain circumstances it would be matter of congratulation—of the severance of the tie between the mother country and Canada, and says that we ought to be very careful in training the Canadians before the connection terminates, so that they may be able to go by themselves, and not fall into the hands of any vigilant neighbour watching for an opportunity of appropriating and absorbing them. But what I think to be the fault of the Government in this particular case is that they have not been thoughtful on this subject of training the Canadians. On the contrary, it appears to me that they have not trusted sufficiently to the resources and energies of the Canadians, but have rather unnecessarily anticipated duties which the Canadians were probably ready to perform themselves. The Secretary of State, in placing the case before the House, has made a very great omission in his statement. He said that we must go back to last Christmas; that before last Christmas military interference on the part of the mother country was an unusual state of affairs; but that at the end of the year very important events occurred, and, said the Secretary of State, we were obliged to act, and we acted on what we considered a considerable scale;—we believe that we received the sanction of Parliament and the country, and it is a policy which we are prepared to uphold. I myself do not, and did not when Parliament met, question the propriety of the course which the Government took after the affair of the *Trent*. It appeared to me that throughout that business the Government of this country conducted themselves with reference to the Government of the United States in a wise, dignified, and manly way, and that the measures adopted were perfectly justified by the circumstances. But the Secretary of State made a great mistake when he told us that it was only from last Christmas the commencement of the present state of affairs was to be dated. He forgets that in June last year we suddenly sent a considerable force to Canada—some 3,000 men—and I took an opportunity of making some observations to the House on the subject, and to express my doubts as to the policy of that hurried interference in the affairs of Canada. No doubt the state of the other hemisphere was troubled at that time; but nothing like the affair of the *Trent* had happened in June. No doubt the Canadians, being very shrewd and spirited men, were sufficiently conscious of the condition of their nearest neighbour; and the turbulence and disquiet prevailing in the territories of that neighbour were sufficient to alarm them. At that time, I believe, they were ready to take, and would have taken, any steps calculated to guard and maintain their independence. But what did the Government do then? In June they suddenly sent a force of 3,000 men to Canada. That was a considerable act; and yet, though the force as a reinforcement for the garrisons was large, it was, as a military expedition, not of a commanding magnitude. It was not sufficient to defend the frontier of Canada, and it was not wanted to increase the garrisons, because they were at the complement fixed by the Secretary of State for the Colonies of the present Government. I do not like to quote any observations I have made in the House; but I wish, on the present occasion, to refer to some that fell from me in June last year. I then gave credit to the Canadians for being a numerous and a gallant people. I said, that looking to the state of America, I could not doubt that they would take such steps as the emergency required. I proceeded to make these observations—

> "On the other hand, I should say, that taking this early opportunity of letting the people of Canada know that we are prepared to assume the monopoly of defending them is rather calculated to damp their ardour and make them feel that it is not their business to protect their hearths and homes and national honour, and that they may pursue their profitable callings without coming forward in an exigency of this character." [3 *Hansard*, clxiii., 1525.]

I now ask, whether that has not been the effect produced; and whether the sending out of these 3,000 troops did not at once damp the ardour of the Canadians and stop any attempt on their part to take measures to protect themselves? It may easily be conceived, when the affair of the *Trent* occurred, and when a considerable force was sent from England to Canada, that under these circumstances the colonists were glad to throw themselves under the ægis of the mother country; but, if at the previous period, when the circumstances of America, though troubled and menacing, had yet nothing in them of a character threatening to aim at the independence of Canada, the Government, through the Queen's representative there had called the attention of the Canadian Parliament to the state of affairs in connection with the question of defence, there would have been found no difficulty on the subject. When the affair of the *Trent* occurred six months afterwards, and when a force was very properly sent out from this country, it would then have been seen that the Canadians had laid some foundation of valid defence in preparing an efficient force of militia, which might have been further developed under the encouragement of the arrival of troops from England, and we should have found the general means of the defence of Canada to be adequate. That was a part of the policy of the Government of which at the time I questioned the propriety, and which experience has convinced me was an error. The sending 3,000 men to Canada, as was done in June of last year, was, I think, to some extent an intimation to the colonists that we were prepared to undertake a monopoly of their defence. It damped their ardour, and has tended, in my opinion, greatly to the unfortunate state of things which now prevails in that quarter. The Secretary of State, I therefore contend, committed a great error, and was guilty of a great omission, in not referring to the transmission of those 3,000 men to Canada in the June of last year, and in taking Christmas as the date at which the extraordinary position of affairs in the colony with respect to reinforcements commenced. I do not, as my right hon. Friend near me (Mr. Adderley) knows, by any means agree with him in all the conclusions upon colonial questions at which he has arrived. He has, however, I think, done good service in bringing forward this subject to-night in a speech which I may be permitted to say was one of very considerable ability. It is a subject which excites the public mind of the country, which it is but right should be enlightened upon it as much as possible. For my own part I am anxious to maintain our colonial empire; but that I feel can be done only on principles of freedom and equality. If in olden days that empire was endangered because of a sense of oppression on the part of the colonists, it will in our day also be endangered if, on the part of the mother country, a sense of unfairness with regard to her connection with her dependencies should prevail. We ought not, however, to use the word "dependencies" any longer. We should look upon those communities as a portion of a great empire in whose prosperity and honour we are all alike interested. In that view of the case I look upon the colonial empire of England as being eminently conducive to her strength. The amount of the advantage which she derives from it cannot be measured by pounds, shillings, and pence, by commercial profits, or even by the military force with which at a moment of emergency our colonial connection might furnish us. I feel persuaded that the very fact that we belong to a great empire founded on those principles of freedom and equality which are necessary for the prosperity of such an empire, is in itself a source of strength to England, from the elevation which it gives to the character of our fellow-subjects; while it influences the councils of Europe and the course of human events. Nor do I despair that the unsatisfactory state of things prevailing in Canada at the present moment, so far as the relations between her and the mother country are concerned, will be modified and improved before long. When we are told, as we have been told to-night, that the Canadian Parliament does not represent the opinions of the colonists, there is, I cannot help feeling, a remedy for a circumstance so disagreeable, and means by which the views of the country may be duly ascertained. I will not, however, advert to that point more particularly, because I should in doing so be guilty of the error which I have deemed it my duty to criticise—that of mixing ourselves up with questions of merely local policy. I would simply repeat that I think the present disagreeable state of affairs in Canada has been mainly occasioned by the sending out there of 3,000 troops in the month of June in last year—a measure which at the time I deprecated; while I would express a hope that affairs in the colony may soon wear a more satisfactory aspect.

Viscount PALMERSTON: Sir, I certainly agree rather with the right hon. Gentleman who has just spoken than with the right hon. Gentleman the Member for North Staffordshire in the view which he takes with respect to the connection subsisting between the mother country and her Colonial dependencies. With the former, I quite concur in thinking that we should look upon our colonies as part and parcel of the British empire. Our fellow-subjects when they remove from this country do no not cease to be our fellow-subjects; their spirit is the same as ours; their interests should be our interests; we should be each to one another a source of mutual honour and mutual strength. I also quite concur with the right hon. Gentleman in wishing that the day may be far distant, when, from various causes, those great communities may deem it to be their interest to separate from us, because I do not think such a course would conduce to their benefit, while I feel assured it would not tend to the advantage of the mother country. The connection between us, however, as was justly stated by the right hon. Gentleman, can be maintained only by the adoption of a policy which will leave the colonies free to regulate their own affairs, binding them to the mother country by links of mutual interest, and allowing the exercise of perfect freedom in matters in which the one or the other happens to be more particularly concerned. I regret very much that, owing to circumstances which it appears will happen in countries possessing free institutions, local questions have resulted in the refusal on the part of the Canadian Legislature to make adequate provision for the defence of the colony. Generally speaking, it may be said that we are proud of the conduct and bearing of our Canadian fellow-subjects; but on the present occasion I certainly feel no such sentiment. It is, I think, but little to their credit that they should allow party considerations to exercise such an influence over them as to cause them to refuse to make manly provision for their defence in case of need. I cannot at the same time concur with the right hon. Gentleman opposite (Mr. Disraeli) in ascribing that result to the measure which we took in the summer of last year, in sending out 3,000 men to Canada; nor can I agree with him in regarding that step as an indication on our part that the mother country meant to undertake a monopoly of the defence of the colony. Why, Sir, that defence must surely be a very easy and trifling matter if 3,000 men could be considered as sufficient to give us a monopoly of it, in opposition to all the dangers to which Canada may be exposed. I think we judged rightly in sending out the force in question. The garrisons in our North American provinces were at the time greatly reduced in consequence of the demands arising out of the Crimean war. They were much lower than they had been before that war; and looking to the position of the United States, and to the civil war which had broken out in that quarter, we in my opinion, took a wise and proper precaution in sending some amount of reinforcement to those garrisons, even although there might be no apprehension of immediate danger so far as Canada was concerned. So far, however, from the force which we did send out being calculated to damp the exertions of the colonists, and to induce them to abstain from taking the necessary measures for their defence, it appears to me to have been precisely of a character to stimulate and excite them to the adoption of such a course. If, indeed, we had sent out 30,000 men—or a force so large as to be adequate to their defence in case of need—I could understand the argument which the right hon. Gentleman has advanced. The colonists might under those circumstances have said—"We are now amply provided for; it is unnecessary to do anything for ourselves; the mother country has sent an enormous force to protect us, and evidently means to put forth all her energies for our protection; and if that force be not sufficient for the purpose, we feel assured she will take to herself a monopoly of our defence and send additional troops to our aid." The colonists might, in the event which I suppose, have adopted that tone; but surely it cannot be said that they would be likely to look upon 3,000 men as a force sufficient to render any exertion on their part unnecessary. The opposite conclusion, indeed, seems to me to be one at which it would be more natural to arrive. It must be evident to every man who considers the subject that in time of real danger and military conflict a force like the militia and volunteers require the support of regular troops as a foundation to enable them to act with confidence and success. Now, the 3,000 troops which we sent to Canada in the June of last year were exactly the number calculated to constitute a foundation on which Canada might organize a militia or volunteer force, which would acquire habits of discipline and a feeling of emulation owing to the example set it by the regular troops, and which would more readily become efficient in the performance of its duties than if left solely to the direction of its own officers. When, however, danger appeared imminent, in consequence of the affair of the *Trent*, we sent a larger force to Canada, and the course we took in that respect was entirely approved by the right hon. Gentleman, the House, and the country at large. I was glad to hear from the right hon. Gentleman to-night a repetition of that approval, while I differ from him altogether in thinking that we acted injudiciously in sending out the 3,000 men to whom he adverted, as well as in the opinion that that step had anything whatever to do with the recent refusal on the part of the Canadian Legislature to provide an adequate militia for the defence of the colony. It might, it appears to me, with a much greater semblance of probability, be said that the large force which we sent out in December last had that effect. It might be argued with a much greater appearance of truth, that having reinforced the comparatively weak garrisons of the autumn by a large force in the winter, the Canadians were induced to suppose that we intended in the course of this summer to add a considerable number to the troops already there, and that therefore it was unnecessary for them to take any measures for their own defence. If that has been their delusion, I am glad this discussion has been raised, because it has enabled my right hon. Friend the Secretary of State for War to make a statement which must satisfy the Canadians, that unless they choose to make those exertions which it is becoming in them to make for their own defence, which it is their duty to themselves to make, which any people worthy of the name of men would make—unless they mean to fall into a state of apathy, and betray a want of spirit which would be disgraceful to the race to which they belong—we have done as much for them as we intend to do, and that it rests with them to do the remainder. That they are able, if they choose, to do what is needful nobody can doubt, because they have men in number and spirit sufficient to resist any attack which may be made upon them. I think, therefore, that Her Majesty's Government have not incurred any just blame for what they have done. I think we have done neither too much nor too little. We do not intend either to recall the troops now in Canada or to send any additional men there, for we cannot but believe that when that factious conflict which has taken place in Canada is over, and has resulted in the establishment of some Government likely to be permanent, the spirit of the people will urge their representatives to make more ample, more satisfactory, and more worthy provision than at present exists for the defence of their country in case of danger.

THE FRESCOES IN THE HOUSES OF PARLIAMENT.—OBSERVATIONS.

MR. CAVENDISH BENTINCK said, he rose to call attention to the Fresco Paintings executed and in process of execution in the Houses of Parliament. During the last Session the right hon. Gentleman the First Commissioner stated, in reply to a question, that there were only two frescoes which were decayed—one by Mr. Watts and one by another artist. The right hon. Gentleman was rather unfair to Mr. Watts, because, although the fresco by that gentleman showed greater signs of decay last year than the others, still the others had followed fast in the same direction. Every one of the frescoes in that particular portion of the House—the lobby upstairs—was more or less in a damaged state. In justice to Mr. Watts it should likewise be mentioned that he was at once one of the most distinguished and one of the most disinterested artists in England. He had recently painted a noble work for the Society of Lincoln's Inn, without any remuneration. Mr. Watts had offered to renew the work, but declined to proceed with it till he knew the cause of the very extraordinary decay which had occurred. Whoever took the trouble to inspect those works would find that all that had been said last year was perfectly correct, nearly every one of the frescoes dropping to pieces. £7,000 or £8,000 which had been expended on the walls had been totally thrown away. The House had unanimously approved the course taken by the Government in appointing a Commission to inquire into the state of these frescoes, and he hoped the right hon. Gentleman would be enabled to state when the Report of that Commission, with the evidence, would be laid before the House, so as to enable them, when the Estimates were submitted during the next Session, to determine whether fresco painting should be continued. As there were many continental artists in London, and as not a few paintings executed in Paris of late years were more or less in a state of decay, perhaps it might be well that some of those foreign gentlemen should be examined. There was another point to which he wished to call attention, as to the subsisting contracts with the artists who had not yet executed their paintings. These contracts were to be found in two Reports issued in the last year—the 12th Report of the Commissioners on the Fine Arts and a Return presented on the 16th of May last year. There were five artists employed—Mr. Maclise, Mr. Cope, Mr. Ward, Mr. Herbert, and Mr. Dyce. With regard to the first three no observation could be made, except that they had faithfully and honourably fulfilled all their obligations. Large sums were voted for them, but they had not received any of them till the completion of their works. With regard to Mr. Herbert, his contract was entered into in 1850-1. He was to paint nine pictures in the Peers' robing-room for £9,000 in ten years. £6,000 had been already voted to his account; but he had received £2,500 only. Nevertheless, he had not yet completed one picture. The Commissioners stated that they entered into this agreement with Mr. Herbert before the room which was to contain the result of his labour was built, and some years before it was ready for him to work in. They adopted that course, knowing that considerable time would be required for the preparation of the designs. Since the completion of the room in 1858 there had undoubtedly been unnecessary delay in the preparation of cartoons, and in the progress of the wall-painting itself. They believed, however, that such delay on the part of the artist was to be attributed rather to repeated experiments, and to a conscientious study of the subjects committed to him, than to any feeling of indifference, or to any interruption from other occupations. He had been desired by the Commissioners to make four designs, and not confine himself to one picture; therefore, he thought that under the circumstancee it was impossible to find fault with anything Mr. Herbert had done; nor was it unreasonable that he should have received the sum of £2,500. However, Mr. Herbert had been at work for a great many years, and nobody could tell whether the work would ever be completed or not. By his contract he was entitled to keep his orignal design and picture for his own benefit; he might suggest to the Commissioners whether, in case Mr. Herbert should be unable to complete the work, the designs ought not rather to become their property. The case of Mr. Dyce stood on different grounds, and was rather more serious. He was not making any charge against Mr. Dyce; he merely stated the case as he found it in the Report of the Commissioners. Mr. Dyce was to paint seven compartments in the Queen's robing-room. The Commissioners stated that—

> "The artist was, by the original agreement, allowed a fixed annual sum for a limited period, within which he undertook to complete the work. That period expired in June, 1855, the stipulated remuneration having been received by him. An additional year, ending June, 1856, was granted to him in consideration of his plea of loss of time while engaged as a juror and reporter in the Great Exhibition of 1851. In 1854, on his application to have exclusive occupation of the robing-room, we, with your Majesty's gracious permission, granted such privilege accordingly, on the new condition, founded on Mr. Dyce's assurances, that the work should be completed in June, 1857, a period afterwards still further extended, as stated in our 11th Report, to the beginning of 1858. The work is, to our extreme mortification, still unfinished; the delay having occasioned, as we fear, great inconvenience to your Majesty in consequence of the long-continued and still exclusive occupation of the robing-room by Mr. Dyce. The more recent interruption has arisen, it is understood, from ill-health. We have the greater reason for regretting any impediment to the completion of this work since the portion already executed is, in our judgment, highly creditable to the artist."

According to the "Return relating to Paintings in Fresco"—

> "The unfinished paintings in the Queen's robing-room consist, therefore, of two on the east side, a portion of one on the north side, the friezes on the four sides, and two spaces over the doors on the north side; such two spaces not being, however, included in the contract."

Mr. Dyce in 1857 received the whole money for those paintings, yet he had not finished them; and if anything happened to him, the money would be lost. Under these circumstances he wished to ask the right hon. Gentleman (Mr. Cowper) what steps had been taken to obtain the completion of these works of art within a reasonable time. He thought the artists were bound by their engagements, and he hoped the right hon. Gentleman would be able to give a satisfactory reply to the question he had put.

MR. COWPER said, his attention had been directed to the partial decay of those beautiful works of art that decorated the walls of that building; and although he could not quite agree with his hon. Friend as to the extent of the decay that existed, yet he did admit that decay, though local and partial, was sufficiently extensive to excite a good deal of apprehension and deserve a good deal of attention. The method of fresco painting was adopted at the recommendation of the Fine Arts Commission, under the impression that the wall spaces in that building were lighted so imperfectly, and placed in such positions, that oil painting would prove ineffective. There was also a desire, in adopting fresco painting, to encourage the development of those qualities which had not hitherto been conspicuous in the British School —correctness of drawing, and simplicity, breadth, and grandeur of design. It was also contemplated that the paintings would be more permanent in fresco than in oil, not being subject to those periodical cleanings and varnishings which had such a deleterious effect on oil paintings. But, it having been found that these paintings were not really permanent, it was desirable that some step should be taken either to alter the method of painting or stop its future use. He had brought the subject under the consideration of the Fine Arts Commission, and on the 10th of March last they instituted an inquiry into the extent and causes of the decay. Seven gentlemen, well known for their acquaintance with and technical knowledge of fresco painting, were appointed to investigate this subject with Sir Charles Eastlake, who acted as their secretary; they had immediately examined the various paintings, conferred with the artists who painted them, and made considerable progress with their inquiries, but they had not yet come to a final conclusion. They intended to extend their inquiries still further, and it was not likely that they would be able to give in any Report just yet; but he hoped it would be in the hands of hon. Members by the beginning of the next Session. Although he was not in a position to state the views of the Commission, he might say that the decay was so partial and so local as to negative the belief that there was anything in the walls of the House or in its atmosphere to destroy the permanency of fresco paintings. Many of the ancient Italian frescoes had gone altogether, and there seemed to be so much uncertainty in the management of the details of the application of the colours that everywhere there was liable to be a failure in the permanency of frescoes. In this case the defects appeared to have occurred in the management of the colours or the lime. The permanency of fresco was due to the formation of a thin pellicle of carbonate of lime on the surface of the picture; and that was liable to be interfered with by the chemical action of the colours upon the plaster. It was remarkable that the failures occurred principally in the yellow ochre and other pigments which were peculiarly liable to adulteration. But when the matter was fully discussed, he believed it would be found that the decay was owing to causes which might have been prevented, and which more careful manipulation and increased experience would prevent for the future. The recent examples, however, of water glass painting had proved so satisfactory and durable as to deserve a preference over the previous methods. He quite concurred with his hon. and learned Friend in giving full credit to Mr. Maclise, Mr. Cope, and Mr. Ward for the diligence and accuracy with which they had fulfilled their engagements. Mr. Dyce's case was an exceptional one. He engaged to finish his work in six years; and the Fine Arts Commission, relying on that engagement, had not required the payments to be conditional on the execution of the painting. At the end of six years he had received payment in full. Mr. Dyce, however, had not completed his work even now, at the end of fourteen years. This was quite unaccountable in a man of his position and ability. It was to his own injury that he delayed the public exhibition of works of so high a character, which would increase his fame; and he had also put Her Majesty to some inconvenience, by preventing the use of the robing-room on state occasions, when She opened or prorogued Parliament. Mr. Herbert's case was different. His engagement was made in the ordinary manner; and although his work was not completed, he had only received a portion of the whole amount. The delay in his case had not arisen from other occupations, because he had concentrated all his attention upon the work. He had formed for himself a high standard; he was resolved to achieve a great and permanent result, and had cancelled much preliminary work. When the House saw the pictures complete, they would not regret the time which had been spent in producing so noble a work of art.

Mr. HENNESSY said, that Mr. Herbert had destroyed 446 square feet of his earlier work in consequence of dissatisfaction with it. The value of one square foot of his works was £8; he had therefore destroyed over £3,000 worth of his works in order that he might produce what would be more valued by the public.

Motion *agreed to.*

House at rising to adjourn till *Monday* next.

BANKRUPTCY ACT (1861) AMENDMENT BILL—[Bill No. 223.]—COMMITTEE.

Order for Committee read.

Mr. PEEL said, that on the occasion of its second reading, the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) called attention to that part of the Bankruptcy Act of last year which repealed the prohibition against County Court Judges sitting in that House; and he suggested that as the Bill was introduced to amend that Act, the prohibition should be restored. He (Mr. Peel) would adopt that course.

Instruction to the Committee, that they have power to make provision therein for the prohibition of Judges of County Courts sitting in Parliament.

Bill *considered* in Committee.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next.

JUDGMENTS LAW AMENDMENT (IRELAND) BILL—[Bill No. 203.]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Notice taken, that 40 Members were not present; House counted; and 40 Members not being present,

House adjourned at half after Nine o'clock, till Monday next.

HOUSE OF LORDS,

Monday, July 28, 1862.

Minutes.]—*Sat First in Parliament.*—The Lord Berwick, after the Death of his Brother.

Public Bills.—1ª Consolidated Fund (Appropriation); Militia Pay; Corrupt Practices Prevention Act Continuance; Court of Common Pleas (Officer for Acknowledgment of Deeds); Drainage (Ireland); Elections during Recess.

2ª Charity Commissioners' Jurisdiction; Poor Removal; Recovery of Poor Rates, &c.; Moveable Property (Scotland); Lunatics Law Amendment.

3ª Turnpike Acts Continuance; Copyhold, &c. Commission; Metropolis Local Management Acts Amendment; Public Offices Extension.

CHINA—ENGLISH OFFICERS IN THE CHINESE SERVICE.

MOTION FOR PAPERS.

Earl GREY, in moving for Copies or Extracts of Correspondence explaining the arrangements that have been made for permitting Officers in the Naval or Military Service of Her Majesty to accept employment under the Government of China, said,—My Lords, the permission to which I allude seems to me a measure of no ordinary importance, inasmuch as it implies a great change in the policy hitherto pursued by Her Majesty's Government with respect to the present distracted state of China, as explained in the Papers laid before Parliament by Her Majesty's command; and it appears to me fit, before separating for the recess, that we should obtain some explanation from Her Majesty's Government, of the reasons for that change of policy, and the extent to which it is to go. My Lords, I have said that this measure implies a material change in the policy hitherto pursued by Her Majesty's Government towards China. I say so, because your Lordships must remember that hitherto that policy has been declared to be one of strict neutrality between the Imperial Government and the Taeping rebels. There was an exception to that neutrality, as far as regarded the part we took in the defence of Shanghai, in the commencement of last year. In January, 1861, Mr. Bruce expressed his opinion that the defence of Shanghai should only be a temporary measure, or until the power of the insurgents was established in the district, and that the protection should not be extended to the other treaty ports. This view taken by Mr. Bruce seems to have been approved by Her Majesty's Government, and in the month of May last year the Admiral, acting under the instructions he had received, formally announced to the Taeping authorities at Nankin that Her Majesty's Government intended to remain neutral between the Imperial Government and the rebels, and that the authority of the rebels would, with certain limitations, be recognised in those places in which they were in actual possession. Again, in the August of last year the Secretary of State, writing to Mr. Bruce, stated that it was the desire of Her Majesty's Government to maintain as hitherto a strict neutrality between the contending parties; and it was not until the month of March last that the Secretary of State so far relaxed this rule as to authorize the protection by British forces of other ports besides Shanghai. Very soon after the neutrality of this country was formally announced to the Taepings, we find that heavy guns were mounted at Ningpo for the Imperialists, and that the men were instructed by British officers how to use them, and, as the Admiral said, everything was done to assist the Imperialists in defending the town, except the actual employment of British forces against the rebels. Now, it certainly appears to me that this was a line of conduct hardly consistent with the strict neutrality which had been expressly promised. Notwithstanding, however, the just ground of complaint we had given to the Taepings, there was nothing in their conduct to us with which we could find fault. Some time after the capture of Ningpo it was reported by Mr. Harvey, the Consul there, that the Taeping authorities had strictly performed their promises, and had shown the utmost desire to remain on good terms with us. On the 17th of December Mr. Parkes wrote to the same effect. But, notwithstanding these declarations of our Consuls, and without any explanation laid before Parliament, we know from despatches published in the *Gazette*, and from other less authentic sources of information, that we have really engaged in a regular war with the rebels. In the first place, we find our forces have been employed in protecting other treaty ports besides Shanghai; and then that British and French forces, in conjunction with a person named Colonel Ward, at the head of a disciplined body of Chinese, retook the city of Ningpo, and afterwards undertook to drive the insurgents from the posts they occupied within a certain distance of Shanghai. It appears that the operations which followed were successful, but not without some resistance on the part of the Taepings, inasmuch as the French Admiral was killed. In the month of May last year we had as far as possible discouraged the employment of Europeans by the Imperialists, and Mr. Bruce reported the measures taken to enforce the surrender both from Imperialists and Taepings of British subjects, and he spoke in somewhat contemptuous terms of Colonel Ward. He described him as a man of the name of Ward, an ex-Californian filibuster, a person of United States origin, though he did not claim the privilege of a United States citizen, apparently on account of the severity of the law of that country against such of their citizens as should engage in the military service of foreign Powers. Notwithstanding his having been thus spoken of by our Minister little more than a year ago, the gentleman so described is now acting in command of a body of disciplined Chinese, in concert with the French and English military officers. Such having been the change that has taken place in our policy, I am anxious to know upon what grounds it has taken place. It is not my object now to endeavour to show that the English authorities upon the spot have been in error in the course they have pursued. However doubtful I may be of that policy, I am not sufficiently informed of the circumstances to have any right to condemn it. I confess I am not surprised, in the extreme difficulties in which they are placed, that our diplomatic agents and naval and military officers should have thought fit to take the course they have taken, in spite of the strong objections to which it is open. My Lords, by our past policy, we had unfortunately rendered the Imperial Government totally unable to put down the rebels. By the war with us, that Government had been disgraced, beaten, and reduced to so feeble a state that it was wholly incapable of protecting itself or its subjects against the Taepings, who were becoming more and more formidable. In the papers before us, I find that a captain in Her Majesty's service (Captain Drew) was quite surprised at the steadiness and organization shown by the rebels. He stated, that when compelled to retire by the French fire, they did so in perfect good order. In his Report to the Admiralty, another officer stated that the measures taken by the Taepings exhibited a marked contrast in point of energy and decision to the miserable weakness of the Imperial authorities. This is not quite consistent with the assertions we have heard, that the Taepings are nothing but robbers and murderers, and unable to form a regular army. It is far from my object to censure the conduct of the officers in command of Her Majesty's forces in China; but I think that what has occurred makes it necessary we should have a distinct explanation of the ulterior intentions of Her Majesty's Government, and how far they mean to go in support of the Imperial Government in China. Because, my Lords, I consider, that in undertaking to support the Imperial forces, and to throw the weight of our arms in the scale against the Taepings, we are incurring a very serious responsibility. Any territory that Her Majesty's forces can occupy within twenty or twenty-five miles of Shanghai, will do very little for the maintenance against the Taepings of that great city and its inhabitants, increased as they are by the refugees who have taken shelter there from other places; and, above all, will do nothing for the benefit of our trade. The provinces which supply the silk that forms so valuable a part of our trade are already in their power, and we shall therefore make things worse rather than better, if, having declared hostilities against the Taepings, we do nothing for the protection of these provinces and the trade we carry on with them. The tea districts are also in danger; so that if this policy of hostility to the Taepings is to be pursued, with the necessity of defending against them the territory from which we draw supplies for our trade, we shall have to extend our protection over a wide area. It will not be a few hundred, or even a few thousand men that will then answer the purpose, and we must lay our account to having a war of gigantic proportions on our hands. It is possible, no doubt, that the war will not extend to these dimensions. It is possible, that by our undertaking to protect certain forts within the reach of our naval force, so that a small land force may also act in conjunction with it, and by giving the Chinese Government the assistance of British officers to drill and organize their forces, the Imperial authorities may be able to recover their territory and re-establish tranquillity. But if British officers in the Chinese service are to be supported by our diplomatic agents, and are to fall back in the last resort on the British forces for assistance in driving back the Taepings, this will be only British interference in another form. If, on the other hand, these British officers in the Imperial service are merely to do what they can individually to assist the Chinese Government, I confess, that judging from what we know of Oriental nations, I very greatly doubt whether they will have any decided success in putting an end to the war. Supposing, however, that the Imperial Government are enabled by their means to put down the rebellion of the Taepings, nothing will still be done to cure that inveterate corruption, weakness, and dishonesty on the part of the Imperial authorities of which Mr. Bruce and all our agents in that country complain. Her Majesty's Government are, I believe, disposed to augur favourably of the Government of the person who, by a *quasi* revolution, has succeeded to supreme power in China. I doubt very much, however, whether any change of that kind in the supreme authority can correct the inveterate and long-standing evils to which I have referred, or cure the corruption and misconduct of the subordinate authorities. The general character of Oriental Governments is that of a despotism tempered by the power of resistance in the governed. The rulers are too commonly corrupt and oppressive; but having no well organized force at their disposal, when oppression passes the point of endurance, a successful rebellion generally gives relief to their subjects. This being the case, experience proves that the consequence of leaving the character of an Oriental Government unaltered, but increasing its strength, by giving it the advantage of European intelligence and skill in creating an efficient armed force, is to establish a system that is perfectly intolerable. In India it is invariably found, that in the native States under our protection, which have subsidiary forces under European officers to carry out their orders, such a grinding tyranny is created that it is impossible for the Indian Government to leave those native Princes unchecked to manage their own affairs. Having once interfered to give these powers, the Government are obliged to interfere still further, and to check these native rulers in the mode in which they exercise them. You are compelled to check them at every turn; and this is found to be the case—that a native Government, interfered with by British advice, yet not altogether directed by it, is practically as bad a Government as is possible. The result is, that you are almost invariably compelled in such cases to assume the administration of the Government. The latest instance of our interference in a case of this kind was in the case of the intolerable tyranny of Oude. Is there not, I would ask, great danger that these evils will re-appear in China, and produce a state of things in that great empire infinitely worse than that which would have arisen if we had left the Imperialists and the Taepings to fight out the matter between them? My object is not, however, to censure the Government, but to ask for information as to the grounds on which Her Majesty's Government have acted, and as to their future intentions. I think it most necessary that they should be able to show us the course which they have chalked out for their own guidance, and the guidance of the servants of the Crown who have gone to China. I think the

Government should show that they are acting upon some clear and definite system, to be steadily and consistently pursued—that their policy is not a hand-to-mouth policy, sufficient merely from day to day to deal with difficulties as they may arise, without much concern as to the future. My Lords, if we fail to look carefully into the whole situation of affairs—to take a comprehensive view of the actual condition of China, and of the means by which that condition may be improved—if we neglect to do this, I am persuaded that we shall incur the utmost risk—I would almost say the certainty—of drifting into a costly and fruitless war, and becoming involved in responsibilities and embarrassments which will press with a heavy load on the nation for many years to come. The noble Earl concluded by moving an Address for—

"Copies of Extracts of any Correspondence explaining the Arrangements that have been made for permitting Officers in the Naval or Military Service of Her Majesty to accept Employment under the Government of China."

THE DUKE OF SOMERSET: My Lords, I am not surprised that the noble Earl should have called your attention to the state of affairs in China; because, considering our relations with that country, and the expense to which we went in establishing those relations, and also considering the difficulties connected with the administration of affairs in China, it is natural that your Lordships should be anxious to hear not only what Her Majesty's Government have done, but likewise what are the measures which we are now taking in connection with the maintenance of British commerce in the Chinese Empire. My noble Friend has stated fairly enough, that up to the beginning of this year our policy has been neutrality as between the two parties in China. In the despatches of my noble Friend the Foreign Secretary will be found directions that force should not be used against the rebels, but that a strict neutrality should be maintained by our officers. Vice Admiral Hope speaks in the same manner and expresses a hope that some sort of agreement may be come to with the Taepings, by which any interference with our trade may be prevented. Mr. Parkes, with Vice Admiral Hope, did come to a certain agreement with them, to the effect that they should not approach within 100 *le*, or about thirty-four miles, of Shanghai. That arrangement was considered necessary, because the outposts of the Taepings consisted of marauders who plundered the villages and murdered the inhabitants; and in consequence the unhappy Chinese sought refuge in Shanghai. The Chinese authorities employed Colonel Ward—who since his arrival there has, I believe, behaved very well—to drill a Chinese force to meet the marauding parties. With this state of things the difficulty of protecting British interests came on. Connected with the Taepings who acted on land were a great number of pirates, who acted on the various rivers of China; and, what was worse, in every town to which the Taepings came, there was a European banditti of the worst character, who took advantage of any disturbance. Such being the state of things, it is said that the interference of the British authorities will make matters worse. I regret, my Lords, to be oblige to express an opinion, that between the Imperialists and the rebels nothing can make matters worse in China. Your Lordships may have read of some of the atrocities which have been committed by the Taepings, including the destruction of an old and important town, containing many thousand inhabitants, in which the Taepings, for a period of four days, kept slaughtering the people. The Chinese flee to Shanghai, carrying their property with them; so that there is now in that town a large number of natives as well as British merchants. Shanghai is at present a place of importance, and it promises to become much more important. Officers who have returned from China tell me that in a few years it would become the New York of China—a great commercial capital; but the progress of trade must necessarily be interfered with by the proceedings of those marauders on land and of the pirates in the rivers. That being the state of affairs, the Chinese Government made an offer to a naval officer who has had great experience in China, that he should organize a naval force to enable them to put down these pirates. On the matter being brought to the attention of Her Majesty's Government, I thought the object contemplated was so far desirable as that we should give him liberty. It was not our duty to say, "You shall be prevented from accepting the offer. We know the miseries caused by the acts of those pirates; but we shall not allow the Chinese Government to take advantage of the experience of one of our naval officers." We have great interests in China. For very many years we have been acting as the police of those waters; and if the pirates were to continue their operations, we should be obliged to keep a force in the rivers for the protection of our commerce. I do not think that there is the objection which the noble Earl has urged to our strengthening the Government of China. On the contrary, I am of opinion that it would be desirable that that Government should have greater strength. Indeed, some of Lord Elgin's despatches went to this effect—that the most dangerous consequences of its contest with the Europeans would be that the Chinese Government would be so weakened that it would not be able to put down the rebellion, and to stop the desolation which was going on. It is true that the Government of China is a very bad one; but the Taepings have been ten years in China, fighting and destroying, but have established no Government and no order. There is no organization of any kind. If your Lordships look at the state of things at Nankin, you will find that they reject all trades except the trade in arms, putting persons to death who engage in others; and that they will have no sort of organized society, except a camp for the purposes of war. They say that when they have conquered all China, then will be the time to organize a social system, and that at present they must go on as a camp. From our experience of ten years, and from their own statements now, that is the prospect for the future. More than this —they have broken their compact with us. They agreed not to come within a certain distance of Shanghai; but they violated that agreement and attacked Hoo-Sing, from which they were driven off by the French and English forces. We cannot hold Shanghai except by force; and unless we are prepared to withdraw from China altogether, we must hold that place. We cannot allow it to be taken. We tried that experiment at Ningpo; but, instead of the Taepings establishing anything like order there, they were guilty of such sanguinary actions and horrible crimes that the missionaries were obliged to leave it. Not only, however, have the Taeping violated their agreement as to not approaching Shanghai, but their "Heavenly King," as they call him, has proclaimed that it is time that they should take Shanghai, and has required us to repent and submit. We must, therefore, either "repent and submit" to the conquest of Shanghai, or we must defend it. I think that the feeling of this country will be, that considering that we have the right to trade there, and that it contains so much British property, we should not be justified in giving up Shanghai in order to gratify the rapacity of these people. I think that is a clear line to draw. I do not say that we are bound to protect, or can protect, all the fourteen ports with which we have a right to trade; but where there are large stocks of British property and important British interests it is our duty and our obligation to defend them. I do not even say that the lines which are drawn round Shanghai are precisely those which ought to have been fixed; but that is a question which must be decided by the naval and military officers there, whose decision must depend a good deal upon the lines of the various canals, and upon the nature of the country round Shanghai. What is certain is, that we must not allow these marauders to come close to that town and interfere with our trade and our peaceful occupations. Your Lordships will see, from the papers which are upon your table, that the merchants have been compelled to form "a Committee of Safety," and, instead of attending to their own affairs, to parade the town night and day, as volunteers, to defend their property and even their lives from the attacks of these men. The mode in which the Taepings act is this:—They approach a town, driving in the inhabitants of the country—those who escape being murdered—and among them they send in some of their own followers. These men take the first opportunity of setting fire to the town in various places, and thus create a confusion, which enables those outside to take the place. When they had to deal only with Chinese, these tactics were generally successful, as at Ningpo, when, although there was a Mandarin in command of a large force, who declared that no Taepings could ever come near him, and that if they did, he would destroy them, yet as soon as they appeared he scrambled over the wall on the opposite side of the town and took refuge in an English gunboat. With such a people as this it is no wonder that the Taepings should succeed; and if we are to allow these things to go on, we shall have no alternative but to give up the advantages of trade and to retire from the coast to some of the islands in the neighbourhood. With the Taepings it is clearly impossible to come to any arrangement. We have endeavoured to maintain neutrality in China. We have tried over and over again to deal with the Taepings. Their chief has, according to his own account, no authority to punish any marauding band which acts in violation of promises that he may have given, and it is therefore idle to hope that we can come to any understanding with him. What we ought to do is to take measures for the defence of Shanghai, and of other places where we have important interests. We have a large trade at Hangkow, on the Yang-tze-Kiang, and it will be very desirable that we should, if we can fairly do so without running too great a risk, protect that place from the rebels. We ought to give all the security that we can to places where we have trade, and to warn persons who carry on trade with places which we cannot defend that they do so at their own risk. My noble Friend says that he does not think that any good can be done by a British officer taking the command of a Chinese force. I entirely differ from him upon that point. I think that a British officer organizing a small fleet of gunboats will establish order and peace; will put an end, at least upon the sea, to much of the wholesale murder and robbery which is now going on; will do much which we have hitherto been obliged to do ourselves, but which ought not to be done at the charge of this country, and will enable us to reduce the force which we now have in the Chinese waters, and which is kept up mainly for the purpose of putting down piracy in those seas. We must provide one or two vessels for the use of the Admiral and chief officers, but the real employment of most of the small vessels that are now there is to put down piracy, and I should be very glad if I could see a chance of the Government being so strengthened as to be enabled to undertake the performance of this duty for itself. So far from thinking that we shall make things worse by this interference, I am of opinion that the state of things is so bad that we cannot make them worse. I believe that in giving this leave to Captain Osborne we have taken that which is a right and a safe course, and it is one which we have adopted in other cases. In the case of Turkey and other instances we have allowed officers to take service under foreign Powers and to organize their navies, and I think that what we have done there we may do to some extent in China. I admit that the Imperialists have often been as cruel as the Taepings; I do not mean to say that they have always been right and the Taepings always wrong; but the proof that the Imperialists are the better of the two is, that when a place is taken by the Taepings, the people run away; and when the rebels are driven out by the Imperialists, they return in crowds—showing that they have confidence in the one party and not in the other. There was a striking instance of this at Ningpo. The European location was divided from that town by a narrow channel, and the French and English officers warned the Taepings that they must not approach or disturb that location. For a time they acted in deference to this warning; but when they saw that all the property and wealth was leaving their side of the creek and crossing to ours, they became dissatisfied, and fired at our ships; upon which the officer in command told them, that unless they desisted, and removed the guns from the part of the wall which commanded our position, he should fire upon them. They declined to do so, and, accordingly, a body of men was sent to take the guns from them. It was curious, we are told, to observe how within three days the Chinese flocked back to the dwellings which they had deserted; thus showing that they had confidence when a regular rule was established. The Government of the place was, of course, handed over to the Imperial authorities, and, I believe, Colonel Ward sent down a Chinese force to protect it. Well, that is the state of things in China. I hold it to be most unsatisfactory, but I deny that Her Majesty's Government is in any way responsible for it. We have endeavoured, so far as possible, to practise neutrality between the two parties. We have told them that we seek no land, that we desire no benefit for ourselves; that all we want is the safety of the lives and the security of the property of our countrymen, according to the terms of the commercial treaty. But when we found that our people were fired at and murdered, and that our property was plundered by the Taepings, it became necessary for us to take measures to check those outrages. We attempted to accomplish that object by an agreement with the Taeping chiefs, but to no purpose. We were therefore driven to take the matter into our hands. Unless we are prepared to "repent and submit," as the Taepings bade us, we must for the future defend ourselves against those marauders. I regret that we should be obliged to take such a course, but we cannot avoid it, unless we mean to retire altogether from China. If, with the assistance of the force under English officers, the Chinese can establish any sort of Government in Central China, it will be, in my opinion, a great blessing, not only to that country, but to all the other nations who have communication with it, and, indeed, to mankind generally. I believe it may lead to the introduction of a real Christianity, instead of that spurious mockery of religion which is professed by the Taepings. There is no objection to produce the papers for which the noble Earl has moved.

VISCOUNT STRATFORD DE REDCLIFFE said, the question appeared to be mainly what was due to the great commercial interests which were involved in China. They must all deplore the position to which the Chinese empire had been reduced, and it must be especially matter of regret that the course we lately took had tended to aggravate the weakness of the Imperial Government. But whatever regret we might feel as to the past, it was too late to return to the old principle of neutrality; and on that very account we ought to look with additional favour on the Chinese Government in connection with the interests of our trade. Under any circumstances, the interests of those who had been induced to invest their capital in China must be attended to. On this principle we were bound to adhere to those who were most likely to support the rights which we held by treaty; and it was evievident from the papers that had been laid on the table that Her Majesty's Government had been anxious to maintain the rights of British subjects in China, and he believed the majority of their Lordships would be of opinion that they were right in so doing. The two parties now engaged in conflict in China did not present to his mind any feature so similar as to justify us in placing them on an equal footing. He put it to any one who had perused the published papers on the subject whether there was anything in the character and conduct of the Taepings to justify us in paying them such a degree of respect as would interfere with our interests and with the duty which we owed to a friendly Power. It seemed to him that the course of the Taepings amounted to an indiscriminate violation of every moral principle. There was no reason to believe that they acted on any principles capable of producing a beneficial effect on the Chinese empire. If there were faults on the part of the Imperial Government which occasioned discontent among the numerous population of the country, on the other hand the conduct of the Taepings was marked by the total absence of everything calculated to obtain the confidence of the people, and could not fail to disgust those sober-minded and moderate men whose support would be a real source of strength. We were placed as it were between hammer and anvil in China, and it was rather hard that we should be called upon at such a time to compromise our national honour or to abandon the interests of our trade. The merchants who invested their capital in the commerce of that country were entitled to look to their respective Governments for protection. He thought the agents of the English Government had acted in a very proper manner. As long as it was possible they had scrupulously respected the principle of neutrality; and when it became absolutely necessary to deviate in some degree from that principle, they had acted with vigour, prudence, and humanity. At a time like the present, when the expenditure of the Government was necessarily so great, we were especially bound to protect those commercial establishments which contributed to the wealth of the country and were based on the faith of treaties.

EARL RUSSELL: I think my noble Friend (Earl Grey) was well entitled to raise this question, and that Parliament may justly expect some statement from the Government concerning it. I should myself prefer to have laid on the table the despatches containing an account of what has been done, and the instructions which had been given to Her Majesty's Minister. But the Session is now drawing to a close, and I think it is necessary that Parliament should be informed of the views which Her Majesty's Government take of the present state of affairs in China. That is the more incumbent on us because our course has been in some degree changed. That neutrality which was proclaimed last year, and which we informed the Taepings would be observed, has been deviated from. It is therefore advisable that we should explain—at least, your Lordships may well call on us to do so—why we have done anything which is inconsistent with the principles of the strict neutrality we formerly professed. By virtue of the Treaty of Tien-tsin (which was formally ratified after events which are well known to your Lordships) we are entitled to certain ports for the purposes of trading; and as far as the Government of China is concerned, they have been acting in perfect good faith towards us. Communications have been carried on in a thoroughly satisfactory manner, and, as would appear from Mr. Bruce's despatches, the Government of

China have met us in a spirit of fairness, and with the desire to maintain friendly relations with this country. As far, therefore, as the Chinese Government are concerned, we have no reason to complain. We have, then, to consider the value of the trade carried on with China. It is a very growing trade, as I will show your Lordships. The trade in British and foreign vessels to Shanghai was, in 1855, £7,500,000. In 1857 it was in round numbers £14,000,000. The trade in British vessels only to Shanghai amounted, in 1858, to £10,000,000. The whole trade of Shanghai in British and foreign vessels was, in 1856, £13,000,000; in 1858, £15,500,000; and in 1860, £18,000,000. Besides this there is other trade not included in any returns; so that the whole commerce at Shanghai must be £29,000,000 or £30,000,000. It is not only an increasing trade, but it is an important trade, a large part of it consisting in such valuable articles as tea and silk, which enter largely into European consumption. Having, therefore, by treaty a trade with China, and that trade being in a flourishing state, it is not a matter of light importance whether or not that trade shall be maintained, and whether or not the British Government shall be able to protect it. My noble Friend said, very rightly, that for a considerable time, while the Taepings were carrying on hostilities against the Imperial Government of China, Her Majesty's Government remained neutral, and took no measures against them. This was so much the case, that when Ningpo was attacked, no resistance was offered. But two questions of most serious importance have arisen. One is whether the Taepings will, if successful, continue the trade, and give us the same advantages which the Government of China is bound to give us. The second is whether the Taepings can form a Government with which foreign Powers can form treaty relations. My noble Friend has told us that Admiral Hope entered into a formal agreement with the Taepings at Ningpo, by which they were to agree not to interfere with the ports, not to come within a certain distance of Shanghai, and not to molest our trading vessels. There was an apparent consent given to this agreement; but everything which has happened of late shows that the Taepings, far from observing such an agreement, were determined to disregard it. They approached very near to Shanghai; junks belonging to British owners were seized; the crews were imprisoned; one European was murdered, and every determination was shown to interfere with the British trade of that port. Accordingly, in the month of February a change took place in the views of the persons intrusted with the management of British and French interests in China. By the papers which have been produced it is evident that in February there was a disposition on the part of Mr. Bruce and others to look more closely into the matter, and to see whether trade could possibly continue if the Taepings were allowed to ravage the country. Mr. Bruce came to the opinion that it was impossible, and that our trade must be extinguished if we did not defend Shanghai, and perhaps some other ports. Upon this conviction being forced upon him, communications took place, and it is curious that at the same time almost all the chief persons representing the British and French Governments seemed to have formed the same opinion. Mr. Bruce, General Mitchel, Admiral Hope, Admiral Protet, and General Staveley, all thought it necessary to check the attempts of the Taepings to destroy the trade of Shanghai. Accordingly, they began to act, and on several occasions were successful, with a very small loss, in routing and driving off the Taepings. The other question to which I alluded is whether there is any chance, that supposing the Taepings consented not to annoy us any longer, and we made peace with them, they could form a regular Government; and upon this point we have the most convincing testimony. Mr. Roberts, a missionary, was for a long time in hopes that they might form a Government, and that some form of Christianity might be established; but he admits that he was entirely undeceived by what he saw passing around him. He found that their pretended Christian religion was nothing but blasphemy. He found that one chief pretended to be the brother of Jesus Christ, and that he and his son formed "the Heavenly Kingdom." He found, that if any one of them suffered the least contradiction, the person offending was instantly murdered, and that a boy in his own service was murdered by one of these men without the slightest reason. The evidence of Mr. Harvey, the British Consul at Ningpo, was to the same effect. He declared that the Taepings, when they took possession of a place, instead of establishing new authorities, began by giving up all the women to the fury of the soldiery; in the next place, they seized all property as plunder, and they finished by murdering indiscriminately men, women, and children. One of their laws, it was said, was that marriage was not to be allowed, and another that any person trading without specific authority should be put to death. It must, therefore, be clear to your Lordships that it is quite impossible anything like civil relations can be established with the Taepings, or that they can govern the Chinese empire, or conduct relations with foreign countries upon that footing of amity upon which alone peace can be preserved. When the Taepings attacked our vessels, and endeavoured to kill the people on board, Captain Drew knew no other alternative to adopt but to return their fire; and the result was that Ningpo was taken. It appeared clear from this that there was no chance of our being able to maintain any relations of amity with the Taepings; and, as they seemed determined to destroy us, or to take possession of the territory we occupy, all that we could do was to protect our trade and the lives of our merchants. On the 7th of this month I wrote to Mr. Bruce the following despatch:—

> "I have received your despatches Nos. 41 and 43 of the 21st and 23rd of April, explaining the policy you have been pursuing in China. Her Majesty's Government entirely approve of that policy. If we were to attempt to establish relations with the Taepings, we should find no settled authority among them with which any secure engagements could be contracted, and we should be unable to obtain secure trade and the rich productions of China from a rabble who understand nothing but plunder, and are a scourge to every place of which they obtain possession. On the other hand, if we were to undertake to put down the Taeping rebellion, we should soon be engaged in an extensive war, while the Chinese Government would only look on, and leave the burden and expense of it to us. The rational course for us to pursue is to defend our own trade, to protect the treaty ports, and to encourage the Chinese Government to arm a sufficient force of artillery, infantry, and cavalry to overcome the rebels, and reduce them to subjection. Should this plan fail, graver questions will arise, upon which it is not at present necessary to enter. You will arrange for the stay of the troops at Shanghai so long as that settlement is menaced by the rebels. Ningpo ought to be recovered by the Imperialists; and when they have force sufficient for the purpose, they should undertake vigorous operations against Nanking. The Taepings appear to be a rope of sand, and have no cohesion or permanency. Their number forms their strength; but when the chiefs are defeated, the multitude of followers will be dispersed with ease."

That is an indication of the policy which Her Majesty's Government propose to pursue. They do not propose to give to the Chinese Government the whole force of the British Empire for their support; but they desire to encourage them to arm a sufficient force for themselves, by furnishing them with such arms as they may require, and by advising them as to the formation of the force which they might stand in need of. On the other hand, it is evident that this course must place us in a state of hostility to the Taepings; but whenever any attempt should be made to destroy our treaty ports, where British merchants are established, we should do our best to support those merchants. Having formed with China a treaty which the Government of China have faithfully carried into effect; and having encouraged merchants to settle in the treaty ports, and carry on trade there, we do not think it right to leave those merchants at the mercy of a band of marauders and murderers. With regard to Shanghai and some other ports, it is very possible that the naval forces of Her Majesty which happen to be there, assisted by whatever other force should be on the spot, will be entirely adequate for the purpose of this protection. No doubt, in the course of these hostilities the Taepings may occasionally succeed in taking possession of a city; but I do not think that that is any proof that these Taepings can form a Government, or are able to organize a military force. Pirates very often conduct the ship which they man with admirable skill and discipline for the purpose of carrying on their trade of plunder and murder, and robbers frequently form their bands most efficiently. In like manner these Taepings act, and they seem to be nothing else but an immense body of men determined to live only by plunder. That is so much the case, that after occupying a town for a certain time they quit it for some other town, because they find all trade, commerce, and society abandon the place they occupy; and thus they go on destroying one place after another. It is impossible to make peace with such people. The noble Earl says that the Government of China is corrupt. No doubt of that; and, unfortunately, many Governments in the world are corrupt; but still the Chinese Government is the Government which in that country shows the greatest desire for civilization, and seems the best able to maintain it. My noble Friend (the Duke of Newcastle) has very truly said, that the people of China evince, whenever they have the opportunity, a preference for the Imperial Government over the rule of the Taepings, and that whenever the Taepings leave a place, the people flock back again, returning to their former houses and shops. Such is the state of things in China, and such as I have just explained is the policy which Her Majesty's Government propose to pursue. No man can say that these Taepings may not carry their desolation completely over China, and in that case, no doubt, we should not enter into a great war to form a Government in China; but if we can assist the Imperial Government, and enable them by their own industry—and no people are more industrious than the Chinese—to restore a civilized condition of things, I think it would be the duty of the Government to pursue that policy. At all events, we should not allow the trade and commerce of our merchants to be destroyed without some effort on our part to protect them.

Earl GREY in reply said, that though the Taepings were charged with the violation of an agreement, he thought it would be judicious not to enter into too strict an inquiry as to which party had most fairly executed the agreement. It appeared, besides, that from the first the promise of the Taepings was of a temporary kind. We had not said to the Americans that they were not to carry on the war in their country because it would interfere with our trade. But Mr. Bruce's claim was, that an English subject who might buy in the interior of China a Chinese ship laden with Chinese produce, might claim for that ship a free passage to Shanghai. But had we ever claimed a free passage for the cotton bought in New Orleans for our manufacturers? Of course not, as it would entirely interfere with the ordinary exercise of belligerent rights. That was the reason why the Taepings had resisted, and he must say they had a right to resist. It was said that Captain Sherard Osborne had only leave of absence, and that he was acting for himself in accepting employment from the Chinese Government. But he begged to call attention to this fact—that by the Foreign Enlistment Act no British subject could take service under any foreign Power without the authority of an Order in Council, or the licence of Her Majesty under the sign manual. Well, but that was not leave of absence. But it was said we had a right to do what was best for our trade. The state of China was now most miserable; and, unhappily, we were reaping what as a nation he must say we richly deserved—the fruit of that seed which we had so carefully sown. When we began our wars with China, that empire had a Government, which though in many respects very bad and very corrupt, yet was able to maintain order and security, and which, by the testimony of Lord Elgin and of every one of our naval and military officers, had brought a large part of China to the highest state of improvement. Unfortunately, we thought that we might extend our trade by force, and hence the first war of 1840. That war was the beginning of the mischief, and from it came the first shock to the Imperial Government. The mischief done in 1840 was, however, comparatively partial, and for several years, when the noble Earl the Secretary for Foreign Affairs was at the head of the Government, the most severe and stringent instructions were issued, many of which he himself (Earl Grey) had the honour of writing, against the adoption of any course which should bring us into collision with China. But, by-and-by came a change over the spirit of our policy—by-and-by came the disgraceful lorcha affair, which again brought us into collision with the Chinese, and of which the war lately concluded might be considered the continuance. By the last war, as he found it recorded in the despatches of all our diplomatic agents, the Chinese Government had their strength exhausted, their money absorbed by the indemnity which we claimed, and were rendered incapable of protecting their subjects. In the present state of things it was most difficult to say what ought to be done—it would require a far more intimate acquaintance with affairs in China than they possessed to express an opinion. But, taking as a guide what was best calculated to promote the extension of our trade in China—namely, a state of tranquillity and peace, he could not help entertaining serious doubts of the wisdom of the policy which Her Majesty's Government were now pursuing. It might be right to say that we ought to protect our treaty ports; but how were we to prevent the Taepings cutting off the supplies of the goods which were to be brought up to those ports? His noble Friend said we were not to undertake a war of any magnitude, to become defenders of the Chinese Empire, or to give the Imperial Government a right to expect the support of the whole of the forces of the British Empire. But what then were we to do? To give them a sort of modified assistance, partly by the operations of our naval and military forces acting within a limited range, and partly by encouraging our officers to take service with them? But would not all that encourage the Chinese Government to rely upon us; would it not tend to lower that Government in the eyes of its subjects, and render it less efficient for the performance of its duties? That was the opinion of Mr. Bruce a short time ago. It appeared to him that the whole matter required to be looked at with a more enlarged survey than had been taken by Her Majesty's Government, and with reference to more distant prospects. However, he had done his duty in calling attention to the subject.

Motion *agreed to.* [Parl. P. 1544.]

BETTER PRESERVATION OF LIFE (IRELAND) BILL—[BILL No. 184.]

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF LEITRIM said, that it was too late in the Session to ask their Lordships to go on with the Bill. The state of Ireland, however, was such as to demand the serious consideration of the Government during the recess. He would now move the second reading of the Bill.

Moved, That the Bill be now read 2ª.

EARL GRANVILLE said, that the provisions of the noble Lord's Bill were of so extraordinary a character that he doubted whether he could find a single Member of their Lordships' House to support it. He must really move as an Amendment that the Bill be read a second time that day three months. By Clause 5 of the Bill it was provided, that in the event of a jury finding that a person had come by his or her death by violence, a sum of not less than 10 per cent should be levied off the parish in which the body of such person had been found; and the clause further provided that 10 per cent should be levied off the income of "every clergyman, minister, priest, curate, or other ecclesiastical person, society, brotherhood, convent, or monastery, and all schoolmasters or teachers of schools within such parish." The coroner was to receive 5 per cent on the total amount of the money collected under his warrant. The clerk of the union was to receive a remuneration of 5*s.* a day for his attendance at the inquest, the jurymen were to receive a mileage of 6*d.* per mile, and every juryman who should have returned a verdict which should have been accepted by the coroner as a legal and proper verdict, was to receive an additional sum of 5*s.* for each day's attendance, and a further mileage of 6*d.* per mile.

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months.")

On Question, That ("now") stand part of the Motion? *Resolved* in the *Negative;* and Bill to be read 2ª on *this Day Three Months.*

SHANNON NAVIGATION.—QUESTION.

THE EARL OF LEITRIM asked, pursuant to notice, If the Lords Commissioners of Her Majesty's Treasury will be pleased to give Instructions to the Engineer appointed to inquire into the Flooding of the River Shannon, to inquire into and examine the Works constructed on the River Shannon for the purposes of the Navigation; and to report if any, and which, of those Works are defective or not in conformity with the Plans approved of by Parliament; to what extent they are defective; and estimate the Cost that will probably be requisite to render the Navigation practicable to the Boats plying on the River?

EARL GRANVILLE regretted that the Government could not assent to the request of the noble Earl, as the subject had been already considered and settled.

POOR RELIEF (IRELAND) BILL. [BILL No. 229.]

COMMONS' AMENDMENTS CONSIDERED.

Commons' Amendments to Lords' Amendments, and Reasons for disagreeing to certain Amendments made by the Lords, *considered* (according to Order).

THE DUKE OF NEWCASTLE said, that the Commons had agreed with several important Amendments introduced into the Bill by their Lordships; but they disagreed with some others. One of the most important of those to which they objected was that which consisted in striking out the clauses inserted with the object of creating union hospitals. Their Lordships would remember the arguments which had been used when it was proposed to strike out those clauses; and he would now read to their Lordships the Reasons which the Commons had submitted for not agreeing to the Amendments. The noble Duke then *moved*—

"Not to insist on the Amendment made by the Lords to leave out Clause 3, to which the Commons have disagreed."

THE EARL OF DESART, on the contrary, *moved*, that their Lordships should insist upon their Amendments, and contended that the establishment of union hospitals would be a heavy burden upon the ratepayers; the people would have strong objections to avail themselves of such institutions, and their creation would have the effect of destroying the existing county infirmaries.

LORD STUART DE DECIES said, the county of Waterford had no infirmary; and where county infirmaries did exist, they were not of much use to the poor. The machinery, as proposed by this Bill, for working the workhouse infirmaries would be much more easy, and therefore he would, both on the score of expediency and humanity, entreat their Lordships not to insist on their Amendments.

THE EARL OF DERBY said, the argument of the noble Lord was a very good one for the establishment of an infirmary in the county of Waterford; but it also went to sustain the objections of those who maintained that these clauses were an indirect means of substituting poor-house infirmaries for the ordinary county infirmaries. The county infirmaries were very well-conducted institutions, and were far superior to anything of the kind connected with Poor Law unions; but still there was no doubt that in large counties the infirmaries were such a distance from portions of the county, that a large part of the population was practically excluded from their benefits. No doubt this was a very serious objection; but, on the other hand, he confessed that there was very great objection to their placing in the hands of the Poor Law authorities a system of hospital management which was wholly separate from their main duty of attending to paupers. He would ask the noble Duke (the Duke of Newcastle) whether the difficulty might not be met by some fair and reasonable compromise in one of two ways—either by permitting the establishment of Poor Law hospitals in any case where the county infirmary was more than a certain distance—say fifteen or twenty miles—from the Poor Law union, or by making the provisions which had been inserted originally in the Bill to continue for one or two years only, so as to afford time to increase the number of county infirmaries in those localities where they were not sufficient at present.

THE MARQUESS OF CLANRICARDE approved the suggestions to limit the operation of the clauses to a period of one or two years, and hoped the Government would accede to it.

LORD DENMAN spoke in favour of the suggestion to render the Bill a temporary measure.

THE DUKE OF NEWCASTLE regretted that he could not agree to either proposal made by the noble Earl (the Earl of Derby). He felt that the first proposal would not work at all; and with regard to the second, limiting the operation of the Bill in point of time, though it appeared at first very plausible, yet it must be recollected that there had been for years an infraction of the law in Ireland; and what the Government now proposed was, to render that legal which was at present done illegally. By making the Bill temporary, the effect would be to deprive persons of advantages they had hitherto enjoyed.

THE EARL OF LEITRIM was understood to oppose the provision as sent up from the Commons.

THE MARQUESS OF WESTMEATH thought the experiment of setting up the hospitals ought to be tried. He was not afraid that the county infirmaries would be put down by them; and seeing how important it was to provide surgical relief for the poor, he should vote not to insist on the Amendment.

VISCOUNT DUNGANNON supported the Amendments made by their Lordships. The establishment of the hospitals proposed in the clause would tend in a great degree to injure not only the infirmaries, but the dispensaries.

THE EARL OF DERBY said, considering the narrow majority by which the vote the other day was carried, and the error into which he had fallen with respect to the majority in the House of Commons, he regretted he could not support their Lordships' Amendment. However, he felt so strongly the inconvenience of mixing up the administration of the Poor Law with a question of that kind, that when the Motion before their Lordships was disposed of, he would move to insert words which would make the proposed measure temporary.

Question put, "Whether to insist upon the said Amendment?"

Resolved in the *Negative.*

THE EARL OF DERBY then moved, in line 19 of Clause 3, to insert the words "during the next two years from and after the passing of this Act."

On Question, "Whether the said words be there inserted?" their Lordships *divided:*—Contents 20; Not-Contents 28: Majority 8.

CONTENTS.

Manchester, D.
Bath, M. [*Teller.*]
Salisbury, M.
Derby, E.
Desart, E.
Powis, E.
Stradbroke, E.
Dungannon, V.
Melville, V.
Berners, L.
Boyle, L. (*E. Cork and Orrery.*)
Churston, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Denman, L.
Ravensworth, L. [*Teller.*]
Redesdale, L.
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Walsingham, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)
Newcastle, D.
Somerset, D.
Westmeath, M.
De Grey, E.
Ducie, E.
Fortescue, E.
Granville, E.
Russell, E.
Saint Germans, E.
Yarborough, E.
Leinster, V. (*D. Leinster.*)
Sydney, V.
Worcester, Bp.
Camoys, L.
Churchill, L.
D. Freyne, L.
Ebury, L.
Foley, L. [*Teller.*]
Harris, L.
Llanover, L.
Methuen, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Saye and Sele, L.
Stanley of Alderley, L.
Stuart de Decies, L.
Sundridge, L. (*D. Argyll.*)
Wensleydale, L.

Resolved in the *Negative.*

Then it was *moved,* "To agree to the Amendments made by the Commons to the Amendments made by the Lords to the said Bill."

The same was *agreed to.*

METROPOLIS LOCAL MANAGEMENT ACTS AMENDMENT BILL.

[BILL NO. 227.] THIRD READING.

Bill read 3^{a} (according to Order), with the Amendments.

LORD RAVENSWORTH said, that there ought to be an appeal against the decisions of the Metropolitan Board, and moved an additional clause, to the effect that any vestry, board of works, or person aggrieved might have an appeal to the Court of Quarter Sessions.

On Question, "Whether the said Clause be there inserted?" their Lordships *divided:*—Contents 11; Not-Contents 15: Majority 4.

CONTENTS.

Manchester, D.
Bath, M. [*Teller*].
Salisbury, M.
Romney, E.
De Vesci, V.
Dungannon, V.
Churston, L.
Colchester, L.
Denman, L.
Ravensworth, L. [*Teller.*]
Redesdale, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)
Newcastle, D.
De Grey, E.
Fortescue, E.
Granville, E.
Powis, E.
Saint Germans, E.
Stradbroke, E.
Ebury, L.
Foley, L. [*Teller.*]
Llanover, L. [*Teller.*]
Silchester, L. (*E. Longford.*)
Sundridge, L. (*D. Argyll.*)
Walsingham, L.
Wensleydale, L.

Resolved in the *Negative.*

Bill *passed.*

[25^{o} & 26^{o} *Vict.*, c. 102.]

JURIES BILL—[BILL No. 190.]

COMMONS' AMENDMENTS CONSIDERED.

Commons' Reasons for disagreeing to certain of the Amendments made by the Lords *considered* (according to Order): One of the Amendments *not insisted on;* the other Amendments amended; and Bill, with the Amendments, returned to the Commons.

House adjourned at a quarter before Ten o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, July 28, 1862.

MINUTES.]—PUBLIC BILLS.—1^{o} African Slave Trade Treaty (No. 2).
2^{o} Tralee Savings Bank (No. 2).
3^{o} Consolidated Fund (Appropriation).

THE ARMY IN INDIA.—QUESTION.

COLONEL GILPIN said, he rose to ask the Secretary of State for India, Whether he still adheres to his determination of not enlarging his Retirement List of Officers of long service, but still of less than twenty years' service, who are now receiving Indian pay, but for whom no employment can be found; whether it is intended to post any Officers to the newly-raised regiments; and whether there is any chance of the Dhar prize money being shortly distributed?

Mr. T. G. BARING said, in the absence of his right hon. Friend the Secretary of State for India, he had to inform the hon. Gentleman that no representations had been received from the Government of India to the effect that it would be desirable to increase the number of retirements, and at present it was not intended to increase them. With respect to the second question, he presumed the hon. Gentleman meant the new infantry and cavalry of the line. The India Office was in expectation of receiving by every mail a list of the officers, and the matter rested with the Commander-in-Chief in India. With respect to the last Question, the principle for the distribution of the Dhar prize money had been decided by the Treasury, and steps had been taken for the preparation of the Queen's warrant, which had been delayed in consequence of the illness of the Queen's Advocate. At present the matter was in the hands of the Admiralty Advocate, and he believed there would be no further delay.

SLAVE TRADE ON THE AFRICAN COAST.
QUESTION.

Mr. H. SEYMOUR said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government are aware that a system exists of conveying so-called Free Negroes from the port of St. Paul's de Loando, on the west coast of Africa, to the island of St. Thomas, under the passport of the Portuguese Governor General; whether this is not a breach of the Treaty of July, 1842; and, if so, what steps Her Majesty's Government have taken in this matter?

Viscount PALMERSTON: I am sorry to say, Sir, that Her Majesty's Government have received information to the effect that practices, such as my hon. Friend adverts to, have been carried on between the Portuguese Settlements on the western coast of Africa and the island of St. Thomas—that is to say, under the pretence of transporting free labourers, a real slave trade has been carried on. Her Majesty's Government have remonstrated against it, and they are still in negotiation—communication I should rather say—with the Portuguese Government on the subject. While communications are pending, it would not be advisable to lay the Correspondence before Parliament; but when they are finished, that Correspondence will be submitted to Parliament with the Slave Trade Papers of next year. I am sorry to add to that statement that the love and habit of slavery is so ingrained in the Spanish and Portuguese nations, that in spite of all the efforts of their respective Governments both the Portuguese and Colonial authorities of the east and western coast of Africa, and the Spanish authorities in Cuba, do persevere in violating the orders of their Governments and the treaties by which they are bound. But I hope that in the course of time the representations of Her Majesty's Government may have the effect of stimulating the Governments of Madrid and Lisbon to adopt more stringent measures to enforce their orders, and to take care that their treaty obligations are not violated.

KENSINGTON GARDENS.—QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the First Commissioner of Works, Whether his attention has been called to the state of the paths and woodland in Kensington Gardens; and, if so, whether it is his intention to take any steps to have the same put into a proper state by drainage; and whether there is any prospect of completing the works at the ornamental water in the Gardens?

Mr. COWPER said, in reply, that in one of the central parts of Kensington Gardens under the trees there had been during the late wet weather an accumulation of water. That water could easily be got rid of by drains, but he apprehended that drains in that situation would do more than remove the water, they might also remove the trees. Many trees had been killed in former times by draining the Gardens, and he considered it as one of the duties of his office to take care of the old trees. He was, therefore, not willing to expose them to any risk. In reply to the second Question, he had to state that the contractor who was sinking the well at the upper end of the Serpentine had brought up a considerable supply of water, but he was now occupied in boring into the chalk for the purpose of procuring a still larger suppply.

IRON-CASED SHIPS.—QUESTION.

Mr. LAIRD said, he wished to ask the Secretary to the Admiralty, If the Admiralty have decided to build or alter any more timber vessels to be cased partially with iron-armour plating on Mr. Reed's plan until the *Enterprise*, now being altered, is completed and tried?

LORD CLARENCE PAGET replied that one vessel was now being built upon the plan proposed by Mr. Reed, but he could not make any statement with respect to the future intentions of the Admiralty.

ELECTRIC LIGHT AT DUNGENESS.

QUESTION.

LORD LOVAINE said, he rose to ask the President of the Board of Trade, Whether the Electric Light now in use at Dungeness Lighthouse has not been successful; and, if so, whether its adoption is to form part in the alterations contemplated by the Trinity Board in the Portland Lights; and to move for copy of Mr. Faraday's Reports on the Light to the Royal Commissioners, and of those made by order of the Trinity Board?

MR. MILNER GIBSON said, the Electric Light had been exhibited only for a short time at Dungeness, but so far as experience went, the result was encouraging. A proposal had been made to the Board of Trade by the Trinity Board for the reconstruction of the Lights at Portland, and they had replied by asking whether the time might not come for placing the Electric Light there as well as at Dungeness, but they had received no answer to that letter. At present the matter might be said to be under consideration. The Electric Light was entirely in an experimental position, and time must elapse before an opinion could be formed as to whether it would be safe to adopt it elsewhere. There would be no objection to producing the papers.

LORD LOVAINE said, he would give notice that next Session he would call attention to the experiments which had been made with the Electric Light on the coasts of the United Kingdom.

CONSOLIDATED FUND (APPROPRIATION) BILL.—THIRD READING.

Order for Third Reading read.

LORD HENRY LENNOX said, he regretted the right hon. Gentleman the Secretary of State for War was absent, as he wished to make a few observations, which would take the form of a question. The matter to which he was about to refer was of such pressing importance that he should consider that he was not doing his duty if he omitted to call attention to it. He alluded to the 13th section of the Bill, which had reference to stores for land and sea services, but principally to the item of the Armstrong guns. It would be in the recollection of the House that on Friday night last his hon. Friend the Member for Liskeard (Mr. Bernal Osborne) asked the Secretary for War, whether the second large Armstrong gun, which was loaded with 25 lbs. of powder, had burst, and been rendered unserviceable; and, if so, whether a Committee composed of skilled and scientific men should not be appointed at once to test the principle upon which the gun was made? The Secretary for War replied that it was perfectly true that the gun had burst, but he declined to grant any further inquiry into the subject. Since that time circumstances had come to his (Lord Henry Lennox's) notice which justified him in calling the attention of the House to them. It was well known that the French had an admirable system of testing the power of their artillery. They tested not only the power of resistance from within, but also the power of resistance from without; in other words, they shot both with and at the gun. Many of the most experienced artillerists both here and in France had expressed the opinion that the same causes which made the Armstrong guns so powerful in throwing shot, at the same time rendered them peculiarly liable to injury from a comparatively trifling blow from without. What he wished to ask was, whether it was true that a trial had been made of throwing grape shot from 32-pounders and 68-pounders at a range of 300 yards; whether it was true that in that way sixty rounds were fired, but from the enormous range—it being the extreme range of grape—that only three of the guns had been hit in the sixty rounds? He wished also to ask, whether the firing had not proved totally destructive or materially injurious to those guns that were hit? He should add that the Armstrong guns were of various calibre. The next question he wished to ask was, whether, considering that the test which was applied was most favourable to the Armstrong gun, inasmuch as grape shot was fired at the extreme range of 300 yards, instead of the ordinary action range of 150 yards—considering that the test was most favourable to the Armstrong gun—considering, notwithstanding that, that it had signally failed, he wished to ask the Government, whether they did not think that a Committee should be appointed, or Royal Commission should issue of skilled and scientific men, to inquire how far they ought to go with these trials, and what was the reason for that very costly failure? At that moment 6,000 artificers were employed in the manufacture of the Armstrong guns, and the wages were £10,000 per week. The House was about to close, and in all human probability six months would elapse before they met again, by which time £250,000 in wages alone would have been spent on the Armstrong gun exclusive of the cost of materials, &c., and at the end of that time they would probably have the Government coming down to the House with some blundering excuse and regrets for the past; but a quarter of a million of money would have been swept away from the taxpayers. He trusted that the noble Lord at the head of the Government would answer his Questions, as the Secretary for War was not present.

Viscount PALMERSTON: I am sorry that in the absence of my right hon. Friend (Sir George Lewis) I am unable to give the noble Lord an answer to his Questions, not being acquainted with the circumstances to which he has adverted. My right hon. Friend intended to be here; and if the noble Lord will be kind enough to put his Questions again to-morrow or the next day, no doubt my right hon. Friend will give him the best information which the reports received enable him to offer. I have not heard anything of the statements to which the noble Lord alludes. Generally speaking, the Armstrong guns bear a very high reputation.

Sir HENRY WILLOUGHBY said, he wished to make one or two general remarks upon the Bill, which, although it had passed *sub silentio* in the House, had occasioned some remark out of doors. Some critics asserted that the printing of the Bill was of no importance, because there never was any Amendment made in it. Now, he thought the printing of the Bill was of the greatest importance, and it was perfectly untrue that the Bill was never amended. In that specific instance the Bill had been amended, and the Government were justly entitled to praise for having so speedily adopted the recommendation of the Committee on Public Accounts in relation to it. No change could now be made in the appropriation of supplies without the particular question being brought distinctly before the House. The effect would be to impose on the different departments a deeper sense of responsibility, to make them produce more correct Estimates, and in this way to conduce to public economy. Frequent complaints had been made of money being appropriated to other purposes than those for which it had been voted, and that was especially the case with regard to the wages of soldiers and sailors. In some instances, as much as £2,000,000 had been applied to other purposes. This had been now prevented. He wished to direct special attention to the appropriation of the Votes of Credit for the China war. For the two years 1859-60 and 1860-1 the Appropriation Act declared that the Vote of Credit on account of the China war was to be used within a specified time; but in the last year, for some reason or other, the time was not specified, and any time was given. Here the House had a proof of the necessity of having the Bill printed, because a change of a very important character took place without the knowledge of the House. He regretted the Chancellor of the Exchequer was not in his place, as he desired to know from him how that matter stood—whether the Government had any account of the expenses of the war which was brought to a conclusion by the Treaty of Pekin, and whether there was any objection to lay that account on the table, in order that the House might know exactly what was the expenditure on account of that war. All they at present knew was, that the war had already cost a large sum. He thought it of great importance that the Vote of Credit should be closed as soon as possible, because it was very apt to be applied to other purposes than the purpose for which it was voted.

Sir JAMES ELPHINSTONE said, it might be in the recollection of the House, that on the recommendation of the Dockyard Committee, the Metropolitan Police were substituted for the police of the dockyards. In consequence, the three superintendents were relieved from their duties and placed upon a superannuation, which was based upon the amounts they had received for their services, although their half-pay as naval officers had been suspended whilst they discharged the duties of civil police-inspectors. So rapidly were the superintendents removed from their offices that they were warned out of their houses by telegraph—successive telegrams being sent until they were fairly out of the dockyards. One of them—Lieutenant Hall—had been promoted to the rank of commander, which entitled him to a pay of £127 a year, and the balance required to make up £183 a year was made up by a civil pension. After enjoying that allowance for nine months, and having made arrangements to live on that income, he was informed that his pension would be reduced by a sum of £67 a year. The matter was brought before the House early in the Session, and he would have mooted it on the Estimates, but he entertained the hope that the Treasury would have seen the injustice that had been committed, especially as the half-pay of these officers had been saved to the country for long periods. The Admiralty was perfectly convinced of the justice of their claims; but the Treasury declined to admit them, and fell back upon an old Act of Parliament. In the conflict between the two Departments the interests of that poor man were sacrificed. He hoped the noble Lord at the head of the Government would see to the case during the recess. He also hoped some member of the Government would state their expectations as to the outlay that would take place during the remainder of the year for the Chinese war. Several years ago he had urged in that House the absolute necessity of our laying down some distinct policy in regard to China. In 1859, he returned to the same subject, and suggested that we ought to establish ourselves in a commanding strategical position on the Yang-tze-Kiang and clear out the district of the rebels, who had since then committed so much devastation. He had also then stated his conviction that the Taepings had no policy except rapine, no object except murder, and that under no circumstances could they be formed into a body with which the Government of this country could deal. It would, he thought, be admitted that his prognostications had not been far wrong. If we intended to maintain our trade with China at all, it was necessary that we should organize a flotilla to clear out the rivers of the miscreants who infested them. We had not done that, and the consequence was, that some of the fairest portions of God's creation had been laid waste. If we paused in our course, we must see our Chinese trade destroyed and every mulberry tree and tea plant cut up by these vagabonds. He understood that a very able and gallant officer of the British navy was about to take service under the Chinese Government, and he now implored the noble Viscount to reconsider his decision on that subject. That gallant officer should be placed under the constituted authorities of our own navy in those seas, and should act under the British flag, instead of under that wretched and miserable Chinese flag which had covered every villany which could be imagined. The Chinese Government were able to pay for the clearing out of the rivers from these hordes, or, if they could not, the traders in those waters would gladly do so. He earnestly hoped that Her Majesty's Government would look these matters in the face.

LORD ROBERT CECIL said, he had not anticipated that in a debate on the Appropriation Bill they would have anything so exciting recommended to them as a new war with China. Yet that was the policy urged upon them by the hon. and gallant Gentleman who spoke last, and he must therefore express his hope that the Government would pause long before embarking in it. What the hon. Member suggested was that they should save every mulberry tree and tea plantation of China from devastation by the Taepings. Had the hon. Gentleman contemplated the amount of force which that operation would require, or the fearful burden it would throw upon the British taxpayer? That proposal, if it had any chance of being received with favour in official quarters, was one of the most alarming things that he had ever heard in that House, and he must enter his decided protest against it. He wished to ask the Secretary of the Treasury whether, in the Vote of Credit taken last year, there was any power to apply the money which that Vote placed at the disposal of the Government in the organization of a force for an attack upon the Taepings this year—whether in fact that money still remained at the disposal of the Government for operations in China. If so, he trusted they would receive an assurance from the Government that no expedition against the Taepings involving the English taxpayer would be undertaken without an opportunity being afforded the House of definitely expressing its opinion on the subject.

MR. THOMSON HANKEY said, the first item in the Appropriation Bill—namely, that of £6,569,355—was the surplus of the money voted for the public services of the year 1862. These surpluses were carried on from year to year. They had not only been voted by the House, but Ways and Means had been provided for them. Although these surpluses had not been used, yet they were just so far contemplated to be used that the Treasury did not think they were justified in paying them back again into the Exchequer. The existing surplus was a very large sum, and he thought it would be desirable if in future years before the Appropriation Bill was laid on the table some explanation were given as to the unappropriated sums which had been voted in Committee of Supply, and for which Ways and Means had been provided.

Mr. PEEL said, he was sure, that if his right hon. Friend the Chancellor of the Exchequer had been aware that any question would be addressed to him upon the occasion of the third reading of this Bill, he would have been present upon the occasion. He quite concurred with his hon. Friend the Member for Evesham (Sir Henry Willoughby) as to the importance of having the Bill printed, as it was a security against alterations being made without the express sanction of that House. The hon. Member was, however, mistaken in charging upon the Appropriation Bill the alteration to which he had referred in respect of the Vote of Credit. That Vote was taken in Supply, and any alteration which had taken place must have occurred in Committee of Supply, for the terms in which the Vote was passed were inserted in the Appropriation Bill. The hon. Gentleman appeared to think that the last Vote of Credit with respect to China should have been voted for payment within the year. That might have been convenient, but the money was not voted for payment within the year, nor for the service of the year, but for the specific purposes of the operations in China. He thought the course taken was preferable, as it was understood to be a final Vote of Credit, and therefore there was no necessity to confine it to payments within the year. In reply to the noble Lord he had to say, that he understood the Vote of Credit was distinctly applicable to the late operations in China, and was not available for any new operations such as had been alluded to. He agreed with his hon. Friend in thinking that the change which had taken place in the appropriation clause of the Bill was a beneficial one, and much credit for it was due to the hon. Gentleman who had so ably presided over the Committee upon Public Accounts. The change, however, was rather one of details than of principle, the Committee being desirous of requiring expenditure unauthorized by Parliament to receive the sanction of some other Department of the Government besides the Department making the expenditure. He agreed with the hon. Member in thinking that the alteration would tend to economy, and cause the Departments to exercise the responsibilities vested in them with caution and due regard to the necessities of each case. In reply to the hon. Member for Peterborough he would observe, that his question referred to the surplus of Ways and Means at the end of the preceding year, which was larger than usual, because, although provision was made for paying off seven millions of Exchequer Bills, only one million was paid off, and the balance, according to the ordinary practice, had been added to the Ways and Means of the year.

Sir HUGH CAIRNS : As some of the items of this Bill refer to the administration of justice in Ireland, I am anxious to take this opportunity of asking some questions, in order to elicit further explanation upon a subject connected with the administration of justice in Ireland. I refer to a public procession of very considerable magnitude and importance which recently took place in Dublin. I do not profess to have any information but what is common to all here through the ordinary channels; but, judging from the statements I have seen in the newspapers, it appears that a large number of persons, after ample notice given in fact weeks before, assembled; that they marched in procession on Sunday week last, accompanied with banners of a kind called in Ireland "party colours," and with music known in Ireland as "party music." The subject of party processions in Ireland has, unfortunately, been frequently before this House, and legislation has taken place upon it. I have always deeply deplored the necessity for such legislation; but although in the abstract it seems absurd to legislate about party colours and party music, yet, as we all know that processions have led in Ireland to breaches of the peace, I think the House of Commons wisely came to the conclusion that some legislation was necessary. But, I believe on the other hand, legislation of that kind cannot be maintained or justified unless the law is administered with the strictest impartiality. In 1850 there was an Act passed by which persons assembling and marching in procession with flags or emblems, or singing songs or playing music calculated to provoke animosity, were rendered liable to certain penalties. It is true that upon the occasion to which I am referring no collision or breach of the peace occurred, but the legality of what took place is not to be judged of by the result. I do not know what the intentions of the Government are, but I do know that a strong feeling has been created in various parts of Ireland by a belief that the Government are not going to take any steps to bring to justice those who were engaged in this unlawful procession. I find the judges now on circuit in Ireland are trying prisoners charged with being present at such assemblages, and in pronouncing sentence upon such persons the judges continually state that it is the intention of the authorities to bring to justice all persons who should be engaged in such assemblages, of whatever party they may be. Now, I put it to the Government, can such language be received with respect or otherwise than derision when the public find that proceedings of the kind which I have stated have taken place in the metropolis, and under the very eyes of the executive authorities of Ireland, without any notice being taken? I also would remind the Government that the justices of the peace in certain parts of Ireland have taken great pains to impress upon their neighbours upon certain anniversaries the propriety of abstaining from all processions, and in consequence of these appeals I believe there has been hardly a single procession in the month in which these anniversaries mostly fall. But how can you expect these exhortations to be received by the humbler classes with deference and respect, when they see in the metropolis persons on the other side doing with impunity what they are warned not to do? The other night my hon. Friend the Member for Fermanagh (Captain Archdall) put a Question upon the subject, and the Chief Secretary then said that he was not aware that there had been any banners that were party colours, or music that was party music. I do not know what the exact phase of the matter is; but if the right hon. Gentleman means that banners of the kind mentioned in the newspapers, and music of the kind stated, are not party banners and party music according to the understanding of those words in Ireland, then I think that is a most dangerous declaration, as it will be impossible to tell one party that particular colours and music are party colours and party music, while you declare in respect of the other party the correlative colours and music are not illegal. I hope the Government will be able to give a full and satisfactory explanation, and I think the right hon. Baronet should be obliged to me for giving him the opportunity of doing so.

Mr. HENNESSY said, he would remind the House that the first procession which took place after the passing of the Act of 1850 was that of February, 1852, in which a green cockade was worn by no less a person than the late Earl of Eglinton, who was of opinion that green was not a party colour in Ireland. In the procession to which the hon. and learned Gentleman had referred there were between 3,000 and 4,000 men, called the Brotherhood of St. Patrick, who, he admitted, did display a party emblem, and wore cockades of orange and green; but not the smallest breach of the peace took place. He wished to ask the hon. and learned Gentleman a question on a less exciting subject—namely, whether the Government had as yet come to any resolution with reference to the reduction of some of the professorial chairs in Queen's College. It was understood that in consequence of the small number of students the number of the professors was to be reduced by three, and he wished to know how the money so saved would be appropriated. He was opposed to the reduction of the professors, and, indeed, would gladly give more money for the purpose of keeping up the professorial chairs. He heartily desired that some compromise should be come to, the consequence of which might be to increase the number of students attending the college, and thus provide ample funds to keep up the number of chairs.

Sir ROBERT PEEL: The subject which the hon. and learned Gentleman, in the exercise of his discretion, has thought proper to bring before the House, has caused considerable feeling in some parts of Ireland; but I think the House will be of opinion that, as far as the Government are concerned, it is a matter which requires to be dealt with with extreme delicacy and caution. No doubt, the procession to which he has referred took place on the 20th of July; but the banners displayed, strictly speaking, belonged to the various trades which joined in the procession; and although green was a predominating colour, yet, as I stated the other night, I do not believe that green is a party colour—in fact, it is the national colour of Ireland. Well, the Government in Ireland have considered very carefully the question with reference to this procession. As the hon. and learned Gentleman has truly said, Parliament legislated in 1850 and 1860 upon what are called party processions and displays in Ireland; but the Government had to consider first of all, whether this procession was an infringement of the Emancipation Act. 10 *Geo.* IV. Now, both the English and the Irish Law Officers agreed that in that Act what was called "the habits of the order" applied to the regulars—that is to friars, and people of that kind; but they maintain that it does not refer to the ordinary clergy, and that such a procession is not a rite or a religious ceremony coming within that Act. The next question is, does the procession come within the Acts of 1850 or 1860? Of course, the Government would desire to act with perfect fairness on these matters, whether as between inhabitants of the North or of the South and West; and all they had to do in this instance was to take the law as their standard, holding the balance equally between both parties. Now, I regret that such a procession has taken place, but it was distinctly a political procession, and was announced as a political manifestation in answer to the noble Lord at the head of the Government, as well as to the noble Earl who was at the head of the late Government, for their refusal to grant a charter to the Catholic University. I admit that the procession took place at an unfortunate moment, when the Protestants were leaving their places of worship, but, at the same time, I esteem it a happy circumstance that the Government were able to take such precautions as prevented the occurrence of any accident or any breach of the peace, and I think that the Government are entitled to take credit to themselves for such a result. The Act referred to by the hon. and learned Gentleman makes it a misdemeanour for any persons in Ireland wilfully and knowingly to do such acts as may tend to promote animosity between different classes of Her Majesty's subjects.

SIR HUGH CAIRNS: I beg the right hon. Gentleman's pardon; the Act of 1850 has no such words.

SIR ROBERT PEEL: These words are from the Act of 1860. The Act of 1850 renders unlawful—

"All assemblies of persons in Ireland who shall meet and parade together or join in procession, and who shall bear, wear, or have among them or any of them any firearms or other offensive weapons—[there were none such in this instance]—or any banners, emblem, flag, or symbol, the display whereof may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, or who shall be accompanied by any person or persons playing music or singing any song which may be calculated or tend to provoke animosity."

Now, I beg to say that in the opinion of the Law Officers the technicalities of the Act have not been infringed. The banners carried in this procession were the banners of the Dublin trades. There were green and white cockades; but no firearms were carried. As to music, I believe that "Brian Borhoime's March" was played; and although I regret that such a tune should have been played on the Sabbath, I do not think that it is regarded as a party tune. With regard to the procession itself, one would have supposed that the inauguration of a University would have been attended by the learned profession, by the gentry of the country, by the chief men of Ireland. It is almost amusing, however, to refer to the official statement of the persons present, who can hardly be supposed to have added very great character or dignity to the movement. Among the rest of the trades were the House-painters, with a banner borne in a carriage; the Tailors and Plasterers, with their trade banners; the Horse-shoers, with banner in carriage and wearing green riband in their button-holes; the Chimney-cleaners, whose trade emblem was a white silk and green belt, and the Brogue-makers, that is, the makers of wooden shoes. [MR. BERNAL OSBORNE: They are not wooden shoemakers]. Then there were the grocers' and the pawnbrokers' assistants, the latter numbering 200, and they certainly wore some colours; while the ground was kept, I am sorry to say, by what are called the Pope's Brigade—people who clearly, according to the ruling of this House, went out to Italy and formed an illegal band—and I believe that they appeared in the colours of the Pope. But the Acts of 1850 and 1860 refer to party processions which take place annually, such as the anniversary of the battle of the Boyne. A procession like that of 20th of July has an exceptional character. I do not think it is likely to be repeated; but if it should be, it will be for the Government of the day to consider whether they will take some steps with reference to it. Seeing how quietly and tamely the procession passed off, I think the House will be of opinion that Her Majesty's Government acted wisely in not rousing unnecessary animosity by taking any proceedings in the matter. But if I wanted any precedent for our justification, I have only to refer to the course pursued by the Government of which the hon. and learned Gentleman formed so distinguished a member. He asks me why we did not at once take steps against these persons for infringing the law. My answer is, that I think it was the part of discretion to forbear, and I find a parallel case in the course taken by the Earl of Derby's Government. The Archbishop of Tuam took part in a procession which, when the Earl of Derby's Government were in office, went to Headford, in the county of Galway. I think there was a confirmation, and the archbishop went in his robes and confirmed a number of people in an open space. The Protestant Dean of Headford wrote to the Government asking them to take steps in the matter, and prosecute Archbishop M'Hale; but the reply was, that the Government thought it more discreet not to interfere. I entirely approve the conduct of the Government in that case; and I think in this instance we also have done wisely. While regretting that such a procession should have taken place, I rejoice that it passed off without any breach of the peace, and with such comparative tameness and quietness. The President of the Catholic University, or rector as he is called, before the procession disclaimed anything like an intention of provoking animosity between the different classes of Her Majesty's subjects in Ireland. His language is very remakable. In his address he says—

> "The man who violates the law of God, or of those whom God has placed over us, is an enemy of the cause—an enemy of Ireland. The man who is disorderly, who drinks to excess, who offends another man, deserves to be handed over to those who have authority to punish him. He is an enemy of the cause, an enemy of Ireland. The man who exhibits ribands, banners, emblems —anything which, justly or unjustly, may by possibility offend another Irishman, is an enemy of the cause, an enemy of Ireland."

I hope the House will consider this explanation satisfactory. It is a difficult and troublesome matter to deal with, and the greater forbearance and discretion the Government exercises in the matter the better it is, I think, for the peace and welfare of Ireland. With regard to the Question of the hon. and learned Gentleman opposite, I thought I had stated on the Estimates that the number of the professors were to be diminished by three in the Colleges of Cork, Belfast, and Galway. The Government of Ireland have no authority in the matter further than submitting the proposition which the Senate may make to the Treasury, and the Department, no doubt, will approve whatever proposition the Senate may make.

LORD LOVAINE said, the case referred to by the right hon. Baronet had no similarity with that before the House. Dr. M'Hale was confessedly engaged in a purely religious function at Headford, whereas it was admitted that this one under consideration was a political demonstration.

MR. SEYMOUR FITZGERALD said, that the state of affairs in China was so serious, and had for some time past exhibited so dangerous an aspect that even at that late period of the Session it was of the greatest importance that the House should have some explanation from the Government as to the actual position and their intentions with regard to our future position in that country. In the Bill before the House, provision was made for the military service of the country; but in view of the events which were likely to happen in China, no hon. Member of Her Majesty's Government would venture to say that that provision was likely to be sufficient. For some time past expeditions had been organized by our authorities in that part of the world, having for their object, to take possession of certain detached villages and forts, at a distance from Shanghai varying from twenty-five to thirty miles. At the first blush any one would say that a more dangerous interference with the population of China could hardly be conceived. That we, who were there simply for the purpose of trade, should mix ourselves up with the internal affairs of the people of China, that we should lend assistance to one party against the other, and should carry on operations at a distance from the ports where alone we were authorized to trade, that we should organize expeditions and attack the rebels as they were called, and inflict on them serious loss was a most extraordinary anomaly. The only explanation which the noble Viscount opposite had been able to give of these proceedings was that the possession of these outlying places was absolutely necessary for the security of British life and property at Shanghai. A few days ago he had asked the Government whether they had received any information as to the accounts which had been received of the repulse of a British force in one of these attacks, and the answer was, that they had received no information. Since then additional news had been received, and we were now told that though the British troops had not been repulsed, yet they had necessarily been withdrawn from those detached positions for the protection of Shanghai. Of course, if these places, as the noble Lord had said, were necessary for the protection of British life and property, the loss of them must have placed Shanghai in a very insecure position. He should be glad to hear from the Government what information they had received as to the present position of affairs, and particularly whether reinforcements had been urgently demanded from India in order to support the forces which were in China at the present moment. The policy of the Government on the question had always seemed to him of a most dangerous character. He believed that we were now on the eve of a third Chinese war, and the House well knew the expense of such undertakings. From the evidence given by a member of the Government before a Select Committee, hon. Members were aware that at the present moment the Army Estimates which had been voted were not sufficient, and that they were day by day exceeded in consequence of the necessity of maintaining a military force in China which had not been calculated for at the time the Estimates were prepared. It was then considered that we should be able to withdraw a regiment from China, instead of which that regiment was retained there for the defence of Shanghai, and by the late accounts reinforcements were urgently demanded. In the course which the Government had adopted towards the rebels, as they were called, in China, they had seriously compromised the honour and dignity of this country, as that of a Christian and civilized people. In the county to which he belonged a gentleman had recently published certain facts of which he had himself been an eyewitness. A large number of prisoners taken in one of those expeditions by our troops had been handed over by the British authorities to what we termed the Chinese Government to be dealt with by them, and this gentleman stated that he was a witness of the slaughter in cold blood of upwards of 300 prisoners—prisoners to the British arms whom we had handed over to be thus inhumanly dealt with. In another point of view, too, our position had been compromised. Hitherto the Chinese Government had not been in possession of a fleet, and it was necessary for them to obtain one. As had happened frequently before, there was a certain notorious pirate whom the Government had never been able to put down. He was notorious throughout those seas for the commission of acts of inhumanity and barbarity which could scarcely be paralleled, but, not being able to beat him, the Chinese Government made him admiral in chief of their fleet, and it was with this man that our gallant soldiers and sailors were called on to act upon terms of equality. This was a most disgraceful fact, and compromised in the strongest manner the honour and dignity of the country. It was impossible to say what might be the effect of such proceedings on such a population. It was all very well for the noble Lord to say that the Taepings were nothing but barbarians, that they were scourges, and ought to be exterminated, but the noble Lord had used language quite as strong in regard to the Chinese Government itself. He spoke quite as severely, and justly too, of the proceedings of Commissioner Yeh. It was perfectly clear that the party of the rebels, though their character might be as bad as was represented, was a very strong party. They might be bloodthirsty and sanguinary marauders, but they mustered a force of from 30,000 to 50,000 against us, and it was with a population such as that that we gratuitously and unnecessarily brought ourselves into collision. He hoped the Government would give some explanation of its intentions—for it seemed that we were entering on a course of which it was impossible to see the end. We seemed to be entering into another of our Chinese wars, and hon. Members knew how long they generally lasted and what they cost—and how long it would be before they got to the end of the bill. In the Persian war we never got the bill until it was all over. He wished to ascertain from the noble Lord, whether any information had been received by the Government as to the present state of affairs in China; whether any reinforcements had been asked for that country of the Indian Government; and whether it was the intention of the Government to hold in China the same language to which it was their pride to proclaim their adherence in every other part of the world—namely, one of non-interference in the internal affairs of other States.

COLONEL SYKES said, that instead of a force of 40,000 or 50,000, as the hon. Gentleman seemed to think, it appeared the Taepings had 400,000 men under arms, occupying the provinces of Kiangsu and Cheh-Kiang and part of Ngan-hwei, with a population exceeding 98,000,000 of souls —Shanghai being in the province of Cheh-Kiang. He would observe that from the notorious character of Mr. Ward, as an American filibuster, to whom the hon. Gentleman had referred, it seemed strange that Admiral Hope and his officers could associate with him, without feeling themselves disgraced. The Taepings must have been exasperated by our repeated onslaughts, nevertheless it was a most singular circumstance that they had never yet committed an act of retaliation on any Europeans, while thousands of them had been slaughtered by our far-reaching artillery. As a proof of the forbearance with which they treated Europeans, he mentioned that on a recent occasion, when Sepoys who fell into their hands were all killed, a number of sailors, Europeans, were either released or allowed to escape and reach Shanghai in safety. If we had pursued a policy of neutrality in China, we should not be in the hazardous position in which we were placed in that country. There was, it was true, an arrangement made between us and the Taepings that they should not approach within thirty miles of Shanghai, but then it was on the condition that Shanghai should not be made a basis of operations against them. We, however, had broken faith with them, and were collecting the customs duties in the city amounting to a million sterling per annum, which we handed over to the Tartar Government, and which was employed against those very Taepings. The accounts which had been received that morning were most unsatisfactory. We had been driven from all our captures, in consequence of the reappearance of the Taepings in overwhelming numbers, and were obliged to defend ourselves in Shanghai, and he had no doubt we should be able to do so. But the country around was the scene of bloodshed and murder, whilst but for our uncalled-for interference it would have been in a state of peace, and Shanghai an undisturbed free port.

MR. NEWDEGATE said, he did not wish to interpose in the discussion on Chinese affairs, but he felt it necessary to make a remark on what had fallen from the Chief Secretary for Ireland. The right hon. Gentleman had stated that the Act of 1829, which applied to the wearing of certain robes, was restricted to the regular or monastic orders connected with the Roman Catholic Church. Now, he considered the interpretation of the right hon. Gentleman far too narrow. If that interpretation was to be allowed, it was clear that if any magistrate interposed to prevent processions which were objectionable to the people of this country, he would be reduced to the necessity of proving what were the regular orders of the Church, and that the habits or robes worn in the procession belonged to some regular order. That was a most difficult matter to ascertain. He was glad that the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns) had called the attention of the House to the subject. The course he had taken was consistent with that pursued by the Earl of Derby's Government, of which he was a member, since that Government in 1852 found it necessary, for the preservation of peace, to issue a proclamation forbidding processions headed by ecclesiastics in the robes of their order taking place in England. There had then been two infringements of that Act in this country. One took place in Hammersmith and another in Warwickshire. He himself was the acting magistrate in the latter case, and was compelled to apply to the Government to prevent the recurrence of such processions in the district in which he lived, on Sundays, because the people, finding the services at their churches and chapels interrupted, had threatened to take the law into their own hands unless some intention was shown of protecting them against interference and insult. The feeling in that district was still very strong. He (Mr. Newdegate) did not think it right, either in law or in policy, to put an interpretation on the clause of the Act of 1829 which might lead to a repetition of the scenes to which he had alluded, which would not occur if the law hereafter was understood and administered as it was administered by the Law Officers of the Earl of Derby's Government in 1852.

VISCOUNT PALMERSTON: All I can say in reply to the hon. Gentleman opposite (Mr. S. Fitzgerald) is, that Her Majesty's Government have not, to my knowledge, received any information to-day with respect to the points involved in this question. It is, however, possible that this afternoon or to-morrow we may be in the receipt of intelligence which would enable me to give him a more satisfactory answer. I may add that I cannot help thinking it somewhat remarkable, that when discussions take place in this House with respect to insurrection against a Government which is not supported by the feeling of the people—as was the case in Italy, for instance—hon. Gentlemen on that side declaim against the insurgents and maintain the cause of the Sovereigns deposed. But when an insurrection takes place in China, the object of which is the utter destruction of everything created by the art and industry of man, then the insurgents are taken under the special protection of some hon. Gentleman in this House. We are making no war in China except that which is necessary for defending the positions in which our trade is carried on. Nobody who knows anything about our commercial relations with China can doubt the great importance of these trading ports, or that our commerce would be annihilated if they were to fall into the hands of the Taepings; because notwithstanding all that has been said, the real truth is that the Taepings are nothing but destroyers. They destroy everything. Wherever they go they live upon the produce of the industry of others. When they have exhausted one district, they pass on to another where they may find fresh stores of accumulated wealth to plunder and enjoy. Therefore to allow them to come to the seats of our trade, would simply be to give up our commerce to entire destruction. We are only doing that which is necessary for the maintenance of our commercial relations with China. As to the pirate who was taken and made an admiral, it is not an uncommon thing in semi-civilized countries for a man who has been in revolt against the Government to receive pardon, and to be employed in the service of the Government. The person in question is not in our service; he is in the service of the Chinese Emperor; and if the Chinese think, that by pardoning an enterprising rebel and enlisting him in their service they can do more than by shooting him or cutting off his head, that is a matter for them to judge of, and we have certainly no reason to interfere. With regard to Mr. Ward, I think he is a very respectable man; he has organized and disciplined a good body of troops, and his conduct in command in the field has been such as entitles him to respect, instead of making his company a disgrace to those British officers who may associate with him. Nor are we collecting the revenue in China. There are certain Europeans employed by the Chinese Government to collect honestly those duties which were before dishonestly and surreptitiously taken away, and of which the Government were defrauded. We are glad the Chinese Government are now deriving that income. No doubt there is a certain number of persons who derived benefit from defrauding the Government of their legitimate customs duties, and who are naturally anxious that the old system should be restored; but the truth is, that all that is done by those Europeans who are employed not by us, but by the Chinese Government, is to see fair play between the importers and the Chinese authorities. I am not in the least afraid of any Chinese war. We are not at war with China. We are simply co-operating so far with the Chinese Government that we are defending ourselves in those places where we have commercial establishments. As to the 400,000 Taepings, there may be that number spread over the vast extent of territory which we were told on a former occasion contained 400,000 square miles, giving one Taeping to every square mile. If each Taeping would keep within his square mile, no harm could be done; but, unfortunately, that is not the case. Wherever there is a cultivated country or a rich city there the Taepings come to plunder and destroy, murdering everybody that stands in their way. I have only to say, in conclusion, that we have no information touching the particular points to which the hon. Gentleman has referred. When we receive any, it will be submitted to the House.

MR. BERNAL OSBORNE: I hope the right hon. Gentleman the Secretary for War, who is now in his place, will give the answer which is due to the important question put to him by the noble Lord the Member for Chichester (Lord Henry Lennox). Considering the enormous sums which have been expended upon a weapon which has not yet been proved to be efficient, and considering, also, that we have still to lament the want of a naval gun, I really think that some statement should be made by the Secretary of State. On a recent occasion the right hon. Gentleman admitted that one of the new Armstrong shunt guns had burst after ninety-two rounds had been fired from it. The

House is probably aware that the twelve-ton Armstrong gun, which cost nearly £2,000, has failed in the same manner. I believe the shunt gun, which also cost a large sum of money, burst when charged with twenty-five pounds of powder, or ten pounds more than the ordinary charge. Look at the position of Sir W. Armstrong; it is a very curious one. He is the sole director of rifled artillery connected with the War Department; he is also an inventor, and his inventions are before the country. What I want to point out is, that owing to the position he holds, the market is shut against other inventors, and the consequence is that to this day we have not a naval gun. Recently I asked the Secretary of State, whether, in the interest of the public, he would appoint a Committee of skilled officers and mechanicians to inquire into the principle upon which the Armstrong guns are constructed, with the view of ascertaining what are the causes of the failures which have occurred. The right hon. Gentleman said we had two Committees already, and could not want another. One of the Committees to which he referred is the Select Committee on Ordnance. That Committee has nothing whatever to do with the construction of guns, and I am informed that in several instances guns have been issued contrary to its expressed opinion. The other Committee is one sitting upstairs. But what good, I ask, can come of referring the question of the construction of guns to a House of Commons Committee? If we mean to be not only economical but efficient in our ordnance departments, we must have a Committee composed of skilled officers and mechanicians to investigate the principle upon which the Armstrong guns are constructed.

SIR GEORGE LEWIS: In reply to the question of the noble Lord the Member for Chichester, which I have carefully considered, I can only repeat the answer which I gave the other day, that the Select Ordnance Committee seems to me quite sufficient for the purpose both of inquiry and approval. It is easy to speak of the Armstrong gun as having been proved a failure; but I, on the other hand, assert that it has been proved to be a success. [MR. BERNAL OSBORNE: Where?] In the experiments that have been made. [MR. BERNAL OSBORNE: As a naval gun?] Both for naval and field purposes it has been proved to be the best gun yet produced. Further improvements may be introduced into it; it is even possible that some improved construction may be invented by some other person. I have no prejudice in favour of the Armstrong gun; but to describe it as a failure seems to me to be an entire distortion of facts. The appointment of another Committee would lead only to confusion and conflict of opinion, and I maintain that the scientific advice which the Government now has at its disposal is quite sufficient for ascertaining the truth with respect both to the Armstrong gun and other kinds of ordnance. Besides the Select Ordnance Committee, we have the Iron-plate Committee, and the Select Committee on Ordnance, which is to be reappointed next Session, and really, with such an amount of inquiry and authority, I do not think it can be said that this important subject has been neglected by the Government.

MR. MONSELL said, he did not think the answer given by the right hon. Baronet was quite satisfactory, for this reason:—It was admitted that iron-plated ships would in future form our navy, and it was further admitted that no gun had been constructed which at long range could do any serious injury to iron-plated ships. That was what his hon. Friend the Member for Liskeard meant by the failure of the Armstrong gun. The real state of the case was, that they had no effective gun. The hon. Member for Liskeard said there was such a partial constitution of the Departments which had charge of these matters as prevented the scientific intelligence of the country from bearing on the question so as to produce the proper gun. He could not sit down without saying a single word as to the speech of the right hon. Baronet the Secretary for Ireland. He certainly heard with great regret that part of his speech in which he attempted to turn into ridicule the demonstration that took place the other day in Dublin, in laying the foundation stone of the Catholic University. To attempt to turn into ridicule that demonstration, containing as it did the municipal representatives of three-fourths of Ireland, and the representatives of the middle class, who were, after all, the political strength of the country, was a course quite unworthy of the right hon. Baronet to pursue. Let not the right hon. Gentleman deceive himself on this point; the demonstration was a proof that the mind of the people of Ireland was set on having freedom of education for their children; and, speaking on the most trustworthy authority, he said it was the most important demonstration which had taken place in Ireland for a great number of years.

Mr. VANCE said, he had hoped the discussion on the demonstration had terminated. That demonstration was only important as an embodiment of physical force; it was deficient in all the elements of respectability. He could assure the right hon. Gentleman opposite (Mr. Monsell) that the laity of any station in Dublin did not take any part or interest in it. At the same time, he did not think the procession ought to be passed over in silence by the House, because the assembling and parading of such large numbers in the streets of a metropolis, especially for a political demonstration, was likely to lead to collision with those who did not agree with the objects of that demonstration. There was one a few months ago in connection with the obsequies of Mr. M'Manus, and that was a political demonstration. The Protestants in the North were not content with the way in which the Government had treated the subject, and considered that the Government had not held an equal balance. Although the processions had passed without collision, that was not a reason why the House should neglect to notice them, as they might be tolerated once too often. He was satisfied that there was great alarm, and no small indignation in the city of Dublin, especially as the recent procession took place on the Sunday, when the Protestants were attending their places of worship, and as it was but a repetition of a demonstration which had not been noticed by the Government.

Bill read 3°, and *passed*.

UNION RELIEF AID BILL—[Bill No. 224.]

COMMITTEE.

Order for Committee read.

Mr. BERNAL OSBORNE said, he rose to call the attention of the Secretary of State for the Home Department to the effect of the 36th section of the Reform Act on the franchise of working men in the manufacturing districts of Lancashire and Cheshire who might be in the receipt of parochial relief; and in so doing he wished to make a few observations. The Bill, though coming before them under very disadvantageous circumstances, and being discussed in a very thin House at that late period of the Session, was, in reality, a most momentous one in its bearing and consequences. Although it professed merely to apply to Lancashire and Cheshire, it was no mere local measure, and should be viewed with reference to its action on the entire country. Giving every credit to the good intentions of the Government, and particularly to his right hon. Friend the President of the Poor Law Board, he regretted that a Bill of such importance had been brought forward somewhat in haste, as the drawing of the Bill showed, and at the termination of the Session, when the whole House and country were exhausted. It was the most important Bill of the Session, which had been so signally barren of measures of any mark or note. This most momentous measure made its appearance in the humble shape of a Union Rate in Aid Bill. The House was about to separate under the most gloomy anticipations. What was the prospect in the cotton districts? The operatives in those districts, they were told, had drawn nearly all their money from the savings banks, and the ratepayers who were small shopkeepers were also on the verge of pauperism. The House should not be led away by the statement which had been made, that if peace were made, trade would immediately revive; for although a certain quantity of cotton would be released from the Southern ports, the breadth of cotton sown at that moment was materially diminished, and there must therefore be a continuance of distress in the cotton districts, and to a large extent in other parts of the country. In the cotton districts the line of demarcation between the ratepayer and rate-receiver was so narrow that one additional turn of the screw would be enough to reduce the former to the position of the latter; there was no analogy therefore between the ratepayers in those districts and in Berkshire, for instance. Under such circumstances what ought Government to do? In such a matter no party feeling was involved, and every one was bound to offer what suggestions he could to render the measure as little objectionable as possible. It appeared that in Stockport 50 per cent of the rates remained uncollected, and as time wore on that portion of the country would be plunged into hopeless pauperism, and the ratepayer must follow the operative into the workhouse. The mischief had not been occasioned either by the millowners or the operatives. The calamity was purely exceptional, and the legislation should also be exceptional. It was through no fault of those operatives that

Her Majesty's Government had thought proper to recognise the blockade of the Southern ports, by which from 3,000,000 to 4,000,000 bales of cotton had been locked up. He expressed no opinion now on that step, which involved a question of high policy, with which, however, neither the millowners nor their workpeople had anything to do. But if Lancashire and Cheshire were invaded by a foreign enemy, all the resources and energies of the country would be bound to assist them; and, although he knew the delicate ground on which he was treading, he did think that after a certain time it would be true wisdom for the Government and the House to consider whether the country ought not to look upon this as no merely local question, but as a case in which there should be something like a tax on income and available property to assist our brethren in distress. The cotton industry was the fly-wheel of nearly all the other industries. He differed from his hon. Friend the Member for Rochdale in the matter, because he did not think it would be a prudent thing to swamp these districts with debt incurred by raising loans. However questionable it might be to levy a rate in aid on the whole country, it would be still more questionable to advance loans on the security of the local rates. He ventured to offer a suggestion to the Home Secretary which he trusted would be received in the spirit in which it was made. Charity was an excellent thing, but if administered without system it might become very mischievous. The winter before last there was great local distress in the metropolis, and large sums were raised by voluntary efforts for the relief of the poor. But no organization existed for its distribution; the police courts were inundated with applicants; and the magistrates, who were obliged to dispense the funds, had no other test at last to guide them than that of looking to see whether a man's hands were hard or soft. His suggestion, therefore, was that the right hon. Baronet should select some competent persons, thoroughly understanding these districts, but unconnected with the Poor Law administration, and send them down to advise and assist the local committees in organizing the distribution of the money voluntarily subscribed for the benefit of the operatives. At present, those relief committees were floundering in a sea of suggestions, and would with gratitude accept advice and assistance of a competent gentleman representing the Home Office. He would next come to the more immediate question which he had put upon the notice paper. Many deserved compliments had been paid to the starving operatives for the exemplary manner in which they had borne their sufferings; and he thought they had proved by their conduct that they were eminently fit for the trust reposed in them, regarding the franchise as a trust. It would be most hard if their misfortune should have the effect of depriving them of their civil rights. There was no doubt, however, that the 36th section of the Reform Act would have that result, for it made the receipt of parochial relief by any elector a disqualification from voting. Previously to the Reform Act, as in the case of Cricklade and Cirencester, the right was not taken away when the cholera broke out and people were in receipt of parochial aid; but after the Reform Act the votes of those who had received parochial relief were invalid. It would, therefore, in his opinion, only be a gracious thing, after all the compliments which had been bestowed upon these men, if the House were to devise some mode of allowing their names to be retained on the electoral register. With regard to the number of poor voters who would be disfranchised under the present state of things, he might mention that in the borough of Oldham there were 2,275 voters, two-thirds of whom were operatives; and if the receipt of parochial relief was to disqualify any elector, the constituency would be reduced to ridiculous limits. At Ashton-under-Lyne the population was 29,791, the constituency 1,062, and the persons receiving relief 9,600, with the prospect of being rapidly increased to 15,000. At Blackburn there were 1,017 voters, and 11,500 already on the rates. That number was on the increase, and the constituency was likely to be largely disfranchised. Manchester, with a population of 316,213, and 19,410 voters, from peculiar circumstances did not fare so badly as other towns in its neighbourhood. Preston had a population of 69,542, and 2,731 voters. Of the latter 608 were scot and lot voters; while the number of persons already on the rates was 12,100. Stockport had a population of 53,835, a constituency of 1,473, with at that moment 6,000 persons on the rates. The private benevolence there was something remarkable, but it could not last for ever; and he was informed that at least 600 voters out of the whole 1,473 were likely to be disqualified by the receipt of parish relief. He hoped some means would be adopted to respect the independence and political rights of men who were suffering from evils which they had in no way contributed to bring about.

SIR GEORGE GREY said, that he did not complain of the course pursued by the hon. Member (Mr. B. Osborne) in bringing the subject before the House on the Motion that the Speaker do leave the chair; but as he believed there was a very general acquiescence in the principle of the Bill and the amendments of which his right hon. Friend had given notice, and as the object of the hon. Member was simply to extend the provisions of the Bill to the whole kingdom and not to prevent its passing into law, he would not detain the House by entering at any length into the subject. He would simply say that such a course as that suggested by the hon. Member was, he thought, open to strong objection, at any rate for the present. The Bill was only to continue in operation until the following March, and it would be quite open for Parliament at the commencement of the Session, if the distress should continue, to come to a determination upon the subject with a full knowledge of the circumstances and the advantages of experience. His hon. Friend (Mr. B. Osborne) appeared to take some exception to the course pursued by the Government in recognising the blockade of the Southern ports; but it must be borne in mind, that if the Government had not taken the course they did, they might have involved this country in a war with the United States, which might have been more disastrous and expensive even than the present calamity. With respect to the suggestion that the Government should appoint some officers to distribute the funds contributed by private benevolence, he thought there was no necessity for such appointments, as efficient organizations already extensively existed, and he thought that the interference of the Government would not be productive of any good result, especially as he believed those who were engaged in the work of distributing private contributions were acting in cordial co-operation with the Poor Law Officers. With regard to the franchise, it was impossible to deny that it would be an additional cause of regret that in some instances, owing to causes over which they could have no control, the operative classes in Cheshire and Lancashire should not only lose their ordinary means of subsistence, but should suffer also the loss of the elective franchise. He thought, however, that his hon. Friend had rather overrated the number of ratepayers having the franchise, as it must be remembered that by the present law persons must not only pay rates but occupy houses of the value of £10, in order to be on the register. The difficulty suggested by the hon. Member was not created by the Reform Act, but existed long previously. It was held by the Common Law from the earliest times that the receipt of parochial relief or alms of a certain character disqualified a person from voting. All that the Reform Act did was to provide that where by the law as then established a person was disqualified from voting by reason of being in receipt of parochial relief he should not be entitled to be placed on the register. The law was therefore relaxed in some cases, as the person who had received parochial relief would not be struck off the register unless he was objected to after full notice given previous to the annual registration, whereas before the Reform Act his vote might be refused at the poll. He (Sir G. Grey) thought that under these circumstances it was very unlikely that objection would be taken to persons who had been in receipt of parochial relief. Persons objecting to voters under such circumstances would obviously be acting in a most unworthy manner. Without such objection those who were then on the register would remain so, notwithstanding that they might have received relief. He thought, therefore, that it would be unwise to alter a long-established law in order to meet what would, he trusted, be only a temporary difficulty. It must not be forgotten, moreover, that in 1842 and in 1847—periods of general and widespread distress—as well as more recently in the case of Coventry—the Legislature had had recourse to no such plan as that proposed by the hon. Member. He thought, however, that the hon. Member's having called attention to the subject might have the effect of preventing objections being taken to voters on the ground specified during the continuance of the present exceptional period.

MR. COBDEN said, that he had not the least doubt of the *bona fides* of the right hon. Gentleman in the answer which he had just given to the hon. Member for Liskeard, but he must say that he hardly agreed with the right hon. Gentleman in thinking that the operatives could entirely depend upon the exercise by Parliamentary agents and political partisans of the benevolent forbearance which had been referred to. Without pursuing the subject farther, especially as they were all in the dark as to the extent of the calamity overhanging the country, he wished it to be distinctly understood that the subject stood over, and that it would be quite competent to deal with it next Session on its own merits.

Mr. WARNER said, he wished to ask the President of the Poor Law Board whether, in his opinion, it would not be just and expedient to insert in the Bill a clause authorizing an occupying tenant who might have paid the additional rate levied under the intended Act to deduct from his rent in the next settlement with his landlord, the whole or some fixed proportion of such additional rate so paid? In the adjustment of rent between the owner and the occupier, the former was the person who virtually paid the rates; but in the present exceptional period the burden would fall wholly upon the occupier, as there would be no time to adjust the matter in accordance with the ordinary incidence of the poor rate. His own view was that a deduction to the full amount as in the Income Tax Act should be allowed in this Act, but that might be considered going too far; and he should therefore suggest that as in the Irish Poor Law a provision would be introduced into the Bill by which the occupier would be at liberty to deduct from the rent. He hoped the President of the Poor Law Board would take the subject into consideration.

General LINDSAY said, he had presented a petition from the Wigan board of guardians against the Bill, and praying for its rejection. He could not go that extent, although he regretted that it had not been earlier introduced, so that hon. Members might have had longer opportunities of ascertaining the views of their constituents. The state of things in Wigan was remarkable and exceptional. In that borough upwards of £70,000 had been raised by private subscription for the purpose of keeping the people off the rates. In consequence of this the rates of Wigan were apparently low as compared with other places. In Blackburn the rates last year were 1*s.* 4½*d.* in the pound; the estimated rate for the current year was 4*s.* 1*d.* In Preston last year it was 1*s.* 1¾*d.*; this year it was estimated at 4*s.* 10⅙*d.* In Wigan last year it was 1*s.* 4¾*d.*; this year it would be 1*s.* 10*d.* That showed that the amount of the rates where there was extensive private benevolence was no guide to the actual extent of the distress. The effect of the Bill would be that other places, where private charity had not been so active, would be able to come upon Wigan for a rate in aid, though in point of fact the distress might be no worse in the one place than in the other. It was of this that his constituents complained. The whole county of Lancashire had been enriched by the cotton manufacture, and he suggested that the better plan would be to enlarge the area of relief, and make it include either the whole county or one-half. Liverpool had been enriched enormously by the trade, for all the cotton came in through that port before it was manufactured, while afterwards all the cotton went out through Liverpool. Then the price of land had greatly increased throughout the county, and all these were reasons why the area should be enlarged. He could not take upon himself the responsibility of opposing the Bill, but some provision ought to be made by which a town where the rates had been kept low by local contributions, and where great efforts had been made to keep the people from the degradation which they felt in coming upon the rates, should not be liable to help another place where the same amount of private charity had not been shown.

Mr. C. P. VILLIERS said, he could understand the hardship pointed out by the hon. Member for Norwich (Mr. Warner) in cases where, owing to the operation of the Bill, a tenant might be made liable to pay a larger rate than he had expected under an arrangement with his landlord, an average of rates having been taken. He was afraid, however, that that was not a subject which could be legislated for in the present Bill. In reply to the hon. Member for Liskeard who had spoken with reference to the franchise, he might mention that he had a Return which showed that out of 390,000 occupiers of tenements in Lancashire, 294,000 were rated under £10. He hoped, therefore, that the consequences apprehended by the hon. Member would not ensue.

Bill *considered* in Committee:—

(In the Committee.)

Clause 1 (Guardians may charge Cost of

Relief in Parishes in excess of their ordinary Expenditure upon the Common Fund).

Mr. C. P. VILLIERS said, it was only right that he should inform the Committee of the Amendments he intended to introduce into the Bill. In Clause 1 reference was made to the test of the excess upon which it was proposed to give the parish a claim for relief out of the common fund, the present proposal being that such a claim should arise upon an excess of two-thirds on an average of the expenditure of the three previous years. That proposal seemed to excite some little difference of opinion, and therefore he would substitute a fixed rate in the pound. Upon a consideration of all the information which it was possible to collect bearing upon this case, as to what would be a fair limit, he proposed to fix the sum at *5s.* in the pound. In Clause 3, which dealt with unions instead of parishes, the same Amendment would be proposed, and the amount of rate then would also be fixed at *5s.* in the pound. Then, in order to prevent any accident or delay which might occur in issuing an Order in Council, he proposed to substitute a special order of the Poor Law Board, which, as the Committee might be aware, was signed, not only by the two principal Secretaries of State, but by three other Members of the Cabinet. Such an order would have the same effect and would be received with the same consideration as the Order in Council. The objection had been taken that it was possible, as the Bill was framed, that a parish might come for aid upon another parish where the poor-rate was greater in amount. That anomaly, however, would cease to exist if the limit were fixed at *5s.* in the pound.

Mr. E. C. EGERTON said, he was glad to hear from the right hon. Gentleman that he had consented to make these changes. He was sorry to say that there were districts in Lancashire and Cheshire in which there was great distress, not arising from the cotton manufacture, but from depression in the silk manufacture. There was great distress from that source in parts of Manchester and in Macclesfield and Leeds. In Macclesfield the rates for the last five years had been nearly *5s.* in the pound; and in the neighbourhood of the town there was a place called Bollington, which was principally engaged in the cotton trade. By the Bill as it originally stood the town of Macclesfield would have had to contribute to Wallington, which would have been injustice. There were many difficulties in the question, looking at it in every way, but he must say that his opinion was against attempting to relieve the distress by loans.

Colonel WILSON PATTEN said, that though he had first been in favour of the principle of a multiple rate of excess, subsequent reflection had induced him to support the Amendment proposed by the right hon. Gentleman in that respect.

Mr. POTTER said, he should move, that after the word "Chester," in the third line of the clause, there should be added the words, "Yorkshire, Derbyshire, Nottinghamshire, and Cumberland." There were districts in each of those counties which were most injuriously affected by the present depressed state of the manufacturing industry, and he wished to extend to them the benefit of that measure. For instance, in Derbyshire there were no less than 12,965 persons employed in cotton mills, with two or three times that number dependent upon them. In one particular district the average number of paupers on the books was 202, but it had now risen to 1,895. In Cumberland there were 3,281 persons employed in factories, and a good many handloom weavers, and the destitution in Carlisle was very great.

Mr. C. P. VILLIERS said, that the cotton manufacture had been carried on to a considerable extent in some districts in Derbyshire, and in one place—Glossop—there was every prospect that a rate of *10s.* in the pound would be soon required. He had therefore no objection to extend the operation of the Bill to that county. But there was no such reason for including Yorkshire and Cumberland within its provisions; and as for Nottinghamshire, no application had come from that county for any such measure.

Lord GEORGE CAVENDISH said, he was glad to hear that Derbyshire was to be comprised within the operation of the Bill. At the same time, he trusted that some means would be proposed by which unions might be allowed to raise loans on the security of the rates.

Sir HARRY VERNEY said, there were districts in Leicestershire which would be affected by the dearth of cotton, and they ought to have the benefits of this Bill.

Mr. COBBETT observed that there were a great many persons employed in the cotton trade in Yorkshire, and he trusted that when the right hon. Gentleman was informed that they were all comprised in the West Riding, he would review his determination with regard to that Riding of Yorkshire at least.

MR. POTTER said, he stood alone. He believed he was the only Member from Cumberland present, otherwise he should divide the House against that county being excluded.

MR. C. P. VILLIERS said, he would consider that point, and if he should find, on inquiry, that there were good reasons for extending the operation of the Bill to the West Riding of Yorkshire, he would introduce a provision to that effect on the bringing up of the Report.

MR. HADFIELD said, that the great mass of the population of the West Riding of Yorkshire had no connection whatever with the cotton manufacture; and he did not see why they should be brought within the operation of the measure.

MR. ALDERMAN SIDNEY said, the district between Halifax and Rochdale in Yorkshire was largely employed in the cotton trade, and he thought it would be unjust to exclude them from the operation of the Bill.

MR. PULLER said, he was of opinion that the best way to prevent total ruin overwhelming the ratepayers in the distressed parishes was to enable the boards of guardians, with the assent of the Poor Law Board, to borrow—wherever, owing to the amount of the distress prevailing, or the inability of persons to pay the rates levied, they deem it necessary to take that course—money on the security of the rates, which could be repaid with comparatively little difficulty when a period of prosperity returned. The measure ought to be made applicable to every county in which there were any distressed unions.

MR. GARNETT said, about ten per cent of the population of the Lancaster Union were engaged in the cotton trade, but that union embraced a large area, and included agricultural parishes, which, in ordinary times, were much poorer than the manufacturing districts. The principle of taxation and representation going together would be set at naught by a rate in aid. He thought, too, that it would be only fair to throw upon the owners of property some of the burden; and by adopting the system of loans that would be done. He must confess, however, that his own board of guardians was strongly opposed to the plan of loans; but, after the best consideration he could give the subject, he had come to the conclusion, that if they had a rate in aid, they must also have loans.

GENERAL LINDSAY said, he doubted whether a loan could be worked in the borough which he had the honour to represent. Wigan for borough purposes had already borrowed to the utmost extent to which Parliament permitted money to be borrowed upon the security of rates; and therefore if it were to be relieved by means of a loan, it would be unable to pay any portion of the interest, the whole of which would consequently fall upon the part of the union outside the borough. Besides, he preferred a rate in aid, because there would be a better chance of the money being judiciously administered.

MR. POTTER said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. C. P. VILLIERS said, he proposed to substitute the following clause for Clause 1:—

Clause (A.) (Guardians may charge cost of Relief in Parishes in excess of *5s.* in the Pound on the other Parishes in Union.)

"I. If the guardians of any union situate wholly or in part within any of the counties of Lancaster, Chester, or Derby, shall find that the expenditure of any parish comprised within such union in and about the relief of the poor for the quarter ending at Michaelmas or Christmas shall have exceeded the rate of *5s.* in the pound per annum on the annual rateable value of the property of such parish, the excess shall be charged to the other parishes in the union in proportion to the amount of the annual rateable value of the property comprised in such parishes: Provided that if the expenditure of any parish for the quarter ending at any of the periods aforesaid, including its proportion of any excess charged upon it under this Act, shall exceed the said rate of *5s.* in the pound per annum on its annual rateable value, all expenditure of such parish in and about the relief of the poor for that quarter in excess of such limit shall be charged in like manner upon the remaining parishes, the expenditure of which, including their proportion of any excess charged upon them under this Act, shall not have exceeded the limit aforesaid, and so on, *toties quoties*, until the sum charged upon each parish shall amount to the limit aforesaid, and then all expenditure over and above that limit shall be charged to the common fund of the union."

COLONEL WILSON PATTEN said, that there being a great difference of opinion with respect to the propriety of a loan or a rate in aid, he had prepared certain words in order to test the opinion of the Committee with reference to which of the two principles they would adopt. He was about to propose to insert words in the clause which had been withdrawn, to this effect—

"That the guardians may, with the sanction of the Poor Law Board, borrow any overplus required beyond the rate raised in a particular parish, and apply the amount to the payment of any charges imposed under the Act."

Such a proposition as that submitted to the Committee and a division taken upon it would at once decide the question whether they should adopt the principle of a loan or not. He was, however, debarred from bringing forward his Amendment, as he did not know at what part of the substituted clause it ought to be inserted. He would therefore suggest that time should be given for consideration of the new clause.

MR. HENLEY said, he wished to ask the Committee to consider the position they were in. The right hon. Gentleman the President of the Poor Law Board had proposed a long clause, which nobody had seen, of a most important character; and immediately on that, his hon. and gallant Friend (Colonel W. Patten) made another proposition, quite different in principle, of which no notice had been given. The effect of his hon. Friend's Amendment would do away altogether with the principle of the rate in aid, and bring forward the principle of a loan; whereas the Amendment of the hon. Member for the Tower Hamlets did nothing of the kind, but proceeded to supplement in some way or other the rate in aid. They knew not at all whether the system of loans was to be on the parish or on the union. His hon. Friend said that he would make that clear afterwards. He knew very well that it was most inconvenient to have any delay at that period of the Session, but he really thought they would save time if they passed it through Committee *pro formâ*, in order to have the Bill reprinted with the new clause and the Amendments proposed, for the difficulties came so thick upon every side that he defied any Member in the House thoroughly to understand how the Bill stood. For his own part he felt quite unable to come to any conclusion on what had been proposed. If it was to be a loan to the union, it was a rate in aid thrown over a number of years during which the interest was to be paid. That admitted the rate-in-aid principle, but only borrowing to carry it out. Was it to be a loan to the parish? His hon. Friend the Member for Hertfordshire (Mr. Puller) said that half the people in the parish would not be able to pay. How, then, could it be an advantage to them to borrow money on interest for ten or fifteen years instead of having a larger area? He confessed it did not appear at all clear to him that they would benefit the ratepayer in that way. He implored the Government not to drive them to take all the steps in the dark, but to have that long clause printed before it was discussed, and let them know what they were about.

MR. AYRTON said, that it was thought premature to discuss the question of the borrowing powers. The new clause did not go beyond the scope of the old one. It was confined to the aiding of the parish in distress by other parishes in the union, and did not extend to the relief of the union by borrowing money. So far as he understood the general purport of the new clause, he thought it satisfactory; but he had failed to catch its language. It appeared to dispose of many of the difficulties which had presented themselves to his mind as well as the minds of other hon. Members, while at the same time it preserved that invaluable test—the workhouse test. He considered that the question of proportionate increase had been quite set at rest by the Return moved for, which showed that proportionate increase of the rates would be impossible. He presumed that the proposed charge of 5*s.* in the pound would include both the parochial assessment and the contribution to the common fund, so that all they had now to dispose of was simply the question whether it would be preferable to supplement a rate in aid by a loan or not.

COLONEL WILSON PATTEN said, he would withdraw the proposition he had ventured to offer, in order that the new clause proposed by the President of the Poor Law Board might be discussed. Having had an opportunity of looking at the new clause, he thought it a great improvement on the former one, and should give it his support.

MR. C. P. VILLIERS said, the intention of the clause was to lay down a fixed rate of 5*s.* in the pound as the measure of the distress when a parish should be relieved from the common fund. It also provided that the other parishes in the union should contribute till they all had to pay 5*s.* in the pound, and after that the union might come upon the other unions for aid.

MR. J. B. SMITH said, he wished to call the attention of the Committee to the position of the borough he had the honour to represent, where there were 8,500 assessments, of which 6,000 were at or under £6, about 500 from £6 to £10. Of these more than 6,000 had ceased to be ratepayers, and therefore the assessment would fall upon about 2,000. The available assessment at present was only 40 per cent in value of the whole. A rate of *5s.* in the pound would, with respect to those who would have to pay, amount to 12*s.* Besides that, there was a borough rate of *2s. 6d.*, which would become equal to a rate of 6*s.* Of the 40 per cent in value, 15 per cent were manufacturers, and they were in this position, that they had no income either from their trade or the rents of their cottages, and therefore their assessments must be paid out of capital. Every one of them was losing money; they were either working at a loss or working short time in order to keep their hands from starving. Many of the shopkeepers were so much reduced that they were unable to subscribe any longer to the relief of the distressed. From this statement the House would see that the pressure of a *5s.* rate was more severe than many persons had imagined. It would be most injudicious to adopt the hint thrown out by the hon. Member for North Lancashire, that the parishes should be allowed to borrow money. The parishes would, if that were done, instead of being relieved by a return of better times, find themselves embarrassed with the payment of the interest and principal of borrowed money

MR. HENLEY said, the right hon. Gentleman the President of the Poor Law Board had been kind enough to let him see the amended clause, and all he could state was that if there should be any difficulty as to the meaning of the Bill, perhaps the Government would not object to recommit it, so that the House might have an opportunity of properly considering it. But he hoped that that would not be necessary. He had no wish to throw any impediment in the way of the measure. His only doubt was lest the clause would not enable the aid required by distressed parishes to come in quickly enough. The manner in which the rates would run up had been pointed out. But it ought also to have been shown that the remedy would come in not on the whole year, but after the quarter, and therefore it would come in quicker than if it had gone on for the whole year. The doubt he felt with respect to the clause was this—the getting-in of the money as quick as the parishes might want it. Supposing parish A up to Michaelmas to have spent *5s.*, and there was an excess of expenditure of *3s.*, was parish A to raise that *3s.* in the first instance to relieve the poor, and then get it back again? What was wanted was immediate relief. He thought there was some difficulty in the clause in this respect, and therefore had called the attention of the right hon. Gentleman to it.

MR. C. P. VILLIERS said, on the part of the Government, that there would be no objection to what the right hon. Member for Oxfordshire proposed if anything should make the recommittal of the Bill really necessary. As to the facilities for getting money, supposing there was anything urgent in the case, there never was any difficulty in that matter, because the guardians would make an order on their treasurer, who generally had the means. There were several cases in Lancashire where they had overdrawn the treasurer.

MR. HENLEY said, he was glad they had such wealthy treasurers in Lancashire, which was not the case in his part of the country.

MR. COBDEN said, that the alteration proposed by his right hon. Friend appeared to be so important that not only would it be necessary to have it postponed to give time for the Committee to look at it carefully, but he thought it would be of vital importance that the House should not proceed to legislate until the districts concerned themselves should have had an opportunity of expressing their views upon the clause. The change proposed was one of considerable magnitude. The Bill, as it originally stood, seemed to give a ready access to the necessary relief; and, as the right hon. Gentleman opposite had said, it was of the utmost importance that the relief should be available at once when required. When it was proposed in the original Bill to give access from the parish to the union, and from the union to the county, after the rates had risen by two-thirds of the previous averages, a ready possession was obtained of the means of assistance. But the change, as he understood it, was this: —That there should be an invariable cast-iron rule, that until a parish or a union was rated at *5s.*, there should be no relief at all. Was he right in that interpretation? [Mr. C. P. VILLIERS assented.] Then he had no hesitation in saying that that was a most injudicious alteration considered in relation to the exigencies of the case in the north of England. For example, take the union of Rochdale. In 1861 the borough rate of that union was 1*s.* 1*d.* in the pound, and it was estimated that in the present year it would be 1*s.* 8¾*d.* Now, Rochdale union could have no assistance from the county until that rate had risen to 5*s.* Just see what a process Rochdale would have to go through. Calculated by the rateable value of the property, it would have to raise £37,000 by additional rates before it could have any relief from the county. But what was the state of Rochdale at that moment? He would read an extract from a gentleman of the first respectability, the treasurer of the Relief Fund, and whose services had been of immense value to the borough and district. That gentleman said—

> "Taking a radius of one mile from the centre of the borough, we have about eighty-five mills engaged in the cotton trade; of these thirty-six are closed now, fourteen to sixteen more are to be closed in a week or ten days, and the remainder are not averaging above two days per week, and many of them will close. I am of opinion that in another month out of the whole eighty-five mills at least sixty will be obliged to stop. If I were to extend the area, I should then most seriously add to the number. Private charity cannot grapple with the crisis. Our first subscriptions are exhausted, and we are this week commencing a second effort, about £1,300 having been promised. How the winter is to be got through I dare not attempt to say. The prospect is appalling in the highest degree; and yet in the face of this the Poor Law Board obstinately refuse all real and substantial aid. At their door must lie the responsibility. What difficulties we who live on the spot have yet to encounter are unknown."

The Board of Guardians of Rochdale had unanimously petitioned the House for power to borrow on the security of their rates for ten years, and other boards similarly placed believed that such was the best course to pursue. He had been frequently referred to as an advocate for borrowing; but, in fact, he only went to those who were placed in the midst of the distress, and asked them what were their wishes and anticipations in reference to the coming winter; and when he found that these individuals, who were in the first instance responsible, were unanimously of opinion —and this opinion founded on a desire to be self-sustaining — that the best thing the House could do for them was to give them power to borrow now upon the security of the rates for ten years — he at once gave his assent to their proposition. Who were better able to judge than those parties what was best to be done? And who had any interest in preventing these powers being conferred? Certainly not his right hon. Friend at the head of the Poor Law Board. But it was well known that the permanent officials in these departments exercised much influence in matters of this sort. But why should the House be tied up to any rules or precedents that had no applicability to the terrible state of things that had arisen? A right hon. Gentleman who spoke on a former occasion intimated that in the event of war the same calamity might occur again. But war had never produced such a calamity to our industry. Our wars had never prevented our getting raw materials to a greater or less degree. But the American cotton was hermetically sealed up, and would not be released so long as the war continued; and he did not believe that any one could realize the extent of the disaster that would be suffered if the war continued for another twelve months. An hon. Gentleman talked about their going and getting the cotton. He (Mr. Cobden) had not a word to say against friendly mediation, but he believed that any attempt to obtain the cotton by force, or by any violation of international law, would bring upon them greater calamities than even those which they were suffering from. He could not see any present remedy for the evil; and coming to the House without any plan or predilection at all, he wanted to know why the inhabitants of Rochdale should not be allowed to borrow money in the way that they proposed? He could not see why the Bill might not give borrowing powers, and provide a rate in aid also. Seeing the important change that had been made by his right hon. Friend in the first clause, he thought they should not then decide upon it. The clause should be printed, and before they proceeded to legislate, all the districts of the country that were interested should have an opportunity of considering it. He sincerely regretted that the matter had been left to the end of the Session. He did not approve of the way in which much of their time had been spent, but he would rather remain longer than have precipitate legislation on the subject. They must be called together in October or November, unless they now gave the widest latitude to those who were intrusted with authority to act in the matter.

MR. NEWDEGATE said, he was glad for once to be able to agree with the hon. Member for Rochdale. [MR. COBDEN: For the first time in our lives.] The workhouse test would be completely unavailing in the exceptional condition of the cotton districts, and would break down as it had done in Coventry. That test could only be relied upon in order to secure the due administration of the Poor Law under ordinary circumstances. What would be the result of a rate in aid without the power of borrowing on the rate? The expenditure would have to be regulated almost solely upon official cognizance, without the assistance of that local or personal knowledge which might be obtained by employing the parochial system. A temporary emergency could not be met by adhering rigidly to the ordinary rules of the new Poor Law. The object could only be accomplished by giving a borrowing power to the parishes on security of the rates, and thus eliciting the aid of local co-operation and personal knowledge. He agreed with the hon. Member for Rochdale, that the people of the cotton districts ought not to be deprived of the means of helping themselves. If the rates were only 1*s.* 8*d.*, there must be much available capital; and he thought that the inhabitants ought to be allowed to borrow money, and to avail themselves of the credit afforded by the existence of that large capital.

MR. GILPIN said, that the practice of borrowing on the security of the rates had hitherto only been resorted to for the purpose of emigration or for building new workhouses. In one case, the money secured a permanent provision for the recipient; in the other, it provided a permanent building for the union or parish. He was aware of the exceptional character of the present crisis, and deplored it as much as any man could; but it was a new idea to propose to borrow money on the security of the rates to pay for the bread consumed at the present time. The consequence would be that the ratepayers, twenty years hence, would have to pay for the bread consumed by the poor of the present day. That was a proposition that did not appear to him sound in principle. As a rule they all knew that borrowed money was not so carefully spent as money that was not borrowed. Suppose an agricultural district was struck with sterility, as was suggested by his hon. Friend the Member for Rochdale, would it be wiser, he asked, to fix upon that stricken parish a charge for twenty years to come, or to go for help to parishes in the immediate neighbourhood that were not so impoverished? He denied that the Poor Law Board had exhibited any remissness in the matter. Upon the contrary, they had endeavoured throughout the crisis to meet every application in a spirit of liberality, at the same time taking care to carry out the law, which, he agreed with the right hon. Member for Kilmarnock, was fundamentally a humane law. If they had proposed exceptional legislation some time ago, and the anticipated necessity for it had not arisen, hon. Members who now complained, would, probably, have been the first to find fault with the Government for ever having introduced such legislation. Even now he admitted, that if they had a guarantee that things in Lancashire would not get worse than they now were, no legislation of this kind would have been wanted. But the belief of the Poor Law Board was that we had not seen the worst, or anything like the worst, and that there should be a power somewhere to relieve effectually that distress which was likely to prevail during the next six months.

MR. HENLEY asked how it was intended that the borrowing powers should be used? Was it proposed that the borrowing should be effected by the whole union, or by each parish?

MR. COBDEN said, that the union of Rochdale embraced a manufacturing community, and the rates were therefore uniform. The guardians of the whole union were unanimous in their opinion with regard to borrowing; but it might happen that a great difference would exist between different parishes, and that showed the necessity for deliberation on the matter. The hon. and gallant Member for North Lancashire had introduced a clause which should have been included in the Bill and proposed on the responsibility of the Government. What gave rise to the severe reflections upon the Poor Law Board made by his friend in Rochdale was this:—He was exceedingly indignant that after petitioning to have the right to borrow conferred on them, no mention of it was made in the Bill. He (Mr. Cobden) believed the parishes might borrow on their own security. A precedent with regard to borrowing was furnished by the destruction of Nottingham Castle during the Reform Bill riots, when an Act of Parliament was passed empowering the hundred to borrow the £20,000 or £30,000, which they had to raise, the repayment of this sum being spread over a period of years. That rule might be applied to a parish, but it was a matter of detail which should be dealt with by the Government, and introduced into the Bill.

LORD STANLEY said, that the Committee were discussing several questions at the same time. The only question before them was whether Clause 1 should be postponed, and all that had passed in debate convinced him that the Bill was one which the House ought to have had an opportunity of discussing at least three weeks ago. However, it was too late now to consider that point. As to the proposed postponement of the clause, he feared that the present scanty attendance would become still more scanty by the time the subject was next discussed, and, on the whole, therefore, it would be better to come to a decision then. He thought the right hon. Gentleman was justified in proposing the substituted clause; for the fluctuating test of distress, pointed out in the original Bill, would never have stood discussion and inquiry, and a fixed test, although no doubt open to objection, would be the fairest arrangement. As to the borrowing powers, they were not materially involved in this clause. The question was whether the parishes or the unions should have the power to borrow. He understood that his hon. Friend would not press his Amendment, that the parishes should have the power to borrow, but that left untouched the question whether the unions, which could give better security and raise money on better terms, should be intrusted with such a power. That was a question which was open to discussion at a future time, but all the Committee had then to consider was whether, before the powers granted by the Bill came into play, they would insist that a parish should tax itself to a certain fixed amount. He should feel bound to support the new clause to that effect, which was proposed by the right hon. Gentleman.

MR. BARROW said, he was of opinion that the limit of 5*s.* was too small a one to found upon it a claim for aid.

VISCOUNT PALMERSTON said, the only question before the Committee was that the clause should be struck out for the purpose of substituting another in its place. The new clause could not be brought up until the remaining clauses had been disposed of, and then would be the time for hon. Members to propose Amendments.

Clause *struck out.*

Mr. Cobden

Clause 2 (Guardians may make extraordinary Calls) *agreed to.*

Clause 3 (Guardians of distressed Unions may apply for aid to the Poor Law Board, who may make a Representation to the Queen in Council, who may issue an Order for the Adoption of this Act) *struck out.*

Clause 4 (Poor Law Board shall apportion the Sum over the Unions in the County.)

MR. AYRTON suggested that the clause should be postponed until it was seen what Clause 3 proposed to do.

MR. C. P. VILLIERS said, that the chief alterations in Clause 3 were to fix a *maximum* of 5*s.* in the pound, instead of an excess of two-thirds over the average rate of the last three years, and the substitution of a special order of the Poor Law Board for an Order in Council.

MR. COBDEN asked, whether there would be any appeal from the order of the Poor Law Board?

MR. C. P. VILLIERS said, there was no question of appeal in the matter.

Clause *struck out.*

Clause 5 (The Poor Law Board to exclude the Poorer Unions) *struck out.*

Clause 6 (Provision for the cases of Unions in two Counties) *agreed to.*

Clause 7 (No Order of the Board to be issued after the First of March) amended, and *agreed to.*

Clause 8 (Orders in Council to be laid before Parliament) *struck out.*

Clause 9 (Interpretation Clause) *agreed to.*

Clause (A.) (Guardians may charge Cost of Relief of Parishes in Excess of 5*s.* in the Pound on the other Parishes in Union) *brought up* in lieu of Clause 1, and read 1°; 2°; and added to the Bill.

The following Clause, in lieu of Clause 3:—

Clause (B.) (Guardians of distressed Unions, when the Expenditure shall have exceeded 5*s.* in the Pound, may apply to the Poor Law Board, who may apportion such excess of Expenditure over the Unions in the County.)

"If the guardians of any such union shall find that the aggregate expenditure in and about the relief of the poor of the whole union for the quarter ending at Michaelmas or Christmas next shall have exceeded the rate of 5*s.* in the pound per annum on the annual rateable value of the property comprised within such union, such guardians may apply to the Poor Law Board, and thereupon the Poor Law Board may, if they think proper, upon being satisfied that there has been such excess of expenditure as aforesaid, make a general order upon the several unions and parishes under a separate board of guardians or select vestry in the county wherein such union shall be situated to contribute a sum of money to meet the excess, in proportion to the annual rateable value of the property comprised within such unions and parishes respectively; and the several sums so apportioned shall be paid by the guardians and select vestries of the said unions and parishes respectively out of the respective common funds of the said unions, and from the funds of the guardians and vestries of the said parishes respectively, to the treasurer of the union on whose behalf the said order shall have been issued."

—*brought up*, and read 1°.

MR. AYRTON said, he would move the omission of all the words after the words "such guardians," in order to insert the words—

"may, with the sanction of the Poor Law Board, borrow any sum not exceeding half the amount of such rateable annual value, and apply the money so borrowed in payment of any charges imposed under this Act on the common fund of such union."

No doubt there was an obscure clause in the statute of Elizabeth which gave the quarter sessions power to rate one part of a county to meet the distress in another part; but when they came to examine the statute of Elizabeth, they would find that it did not apply to the present case. In the first place, the statute of Elizabeth never gave the power of rating for the assistance of able-bodied poor. What it did was to enable a rate to be levied for the purpose of buying wool to set the people at work; and to apply that to the present state of things the rate be levied under that statute ought to be applied in the purchase of cotton, to set the people to work in the manufacturing districts; but it was the inability to procure cotton that had produced their distress. In reality the statute of Elizabeth had nothing to do with the subject, and it was the statute of William IV. that applied to the present state of things. The distress which existed in the north could not, properly speaking, be attributed to any neglect or overtrading on the part of the cotton manufacturers; it resulted rather from the course pursued by the nation at large in adopting a particular line of policy, and the proposition made by the Government was to get out of the difficulty by giving an arbitrary and summary power to the Poor Law Board to levy a tax upon other unions, the reason given for such a proposal being that it would be inconvenient to call Parliament together before Christmas. Parliament, however, would, he contended, be guilty of a gross dereliction of duty if they conferred the absolute power in question upon so light a ground. It was very true, no doubt, that when a parish was in distress increased rates would make it bankrupt. The only alternative was to adopt the commercial practice of enabling people to tide over difficulties which they could not immediately meet by borrowing money on permanent resources. Half of the annual rateable value of a parish would be a proper limit to such borrowing powers; but that, as well as the duration of the loan, was a question of detail.

LORD ROBERT CECIL said, he did not regard the Amendment unfavourably, because he believed it was better to leave the people to deal in their own way with distress in their own district. He had, however, the strongest objection to the arguments which the hon. Member used. The hon. Gentleman said, that as we did not interfere to prevent the American blockade, and as that had led to a cotton famine, we were bound to make good the losses of the cotton manufacturers. That doctrine ought not to pass without a protest. He would not inquire whether or not we were right in not interfering, although he thought we were wrong. But he could not conceive that the hon. Member was prepared to accept the logical consequences of that theory. Suppose that the States, instead of a blockade, had imposed a prohibitory export duty on cotton. A famine would equally have been produced. In such a case we surely would not resort to arms to get rid of the duty, and yet, according to the hon. Member, we should be bound to repair the losses of Lancashire. Such a proposition was quite untenable. The hon. Member also said that the Lancashire manufacturers were not to blame for their present critical position. Of course, no human being could have foreseen the extraordinary civil war which was raging; but if there had been a war between this country and America, that would have had precisely the same effect with regard to Lancashire. The hon. Member for Rochdale (Mr. Cobden) said that the trade in cotton during war time would be carried on just the same as in peace; but unless the Americans sent their cotton into the seas with the intention of being captured, he (Lord R. Cecil) could not see how that could be. At all events, the trade would be reduced to a mere smuggling trade. Now, what he wished the Committee to remember was this, that the manufacturers, as tradesmen, were bound to look forward to the fact that war between this country and the United States was a possible contingency. That was an event that had been constantly contemplated, and against which we had made provision. It was therefore not fair to say that the distress was purely accidental, and that the manufacturers had nothing to do with it. The hon. Member cast discredit on the honour of the House by suggesting that they were hurrying the measure through, merely to avoid the inconvenience of a winter Session. The House would never degrade itself by such conduct. There was good reason why the people of Lancashire should contribute for the relief of the present distress. They had eaten the banquet, and ought to pay their share of the bill. They had enjoyed the profits, and ought to bear their proportion of the losses.

Mr. J. C. EWART said, the noble Lord seemed to forget that in war time the trade would be carried on by means of neutrals.

Mr. COBDEN said, the noble Lord imputed some blame to the cotton manufacturers, because they had not taken precautions to insure a supply of raw material. That was a common complaint, but was it well grounded? He supposed no man in his senses would say that the same labour, skill, and capital which had been devoted to the development of the cotton industry of Lancashire could at the same time have been applied to the cultivation of cotton in America or elsewhere. The same labour, skill, and capital could not be employed in two places at once. This country had produced men of the greatest ingenuity in inventing and working machinery, and the most enterprising and energetic cotton spinners and manufacturers. He thought, therefore, that the British capitalists had performed their part. In offering the best possible market for cotton wherever it could be got, they had done all that, as individuals, they could be asked to do to stimulate the growth of cotton. He did not mean to say that the spinners and manufacturers might not, as capitalists, invest their surplus means in growing cotton in various parts of the world, but it was not their duty to do so. What the noble Lord meant was this—that, as a community, Lancashire had taken no part in trying to devise means by which cotton might be produced in other countries. He (Mr. Cobden) contended that as a community Lancashire had done all that they could to promote the growth of cotton in India. All that they could do was to memorialize and urge the Government, by making roads and improving the tenure of land, to remove the obstacles in the way of growing cotton in India. Did the noble Lord know how much Lancashire had done in that respect? He remembered that, as long ago as 1848, his hon. Friend the Member for Birmingham made a speech urging the Government to send out a commission to report on the capabilities of growing cotton in India, and pointing out the imprudence of being solely dependent upon one market. The late Sir Robert Peel and the late Sir James Graham complimented his hon. Friend upon that speech, and his hon. Friend made another speech in favour of a Committee of Inquiry upon the same subject. The Manchester Chamber of Commerce had repeatedly discussed the question, and Manchester had twice sent out deputations to India on the subject. Not a Governor General had been allowed to go to India, or a finance Minister suffered to depart for the East, without the Manchester Chamber of Commerce inviting them to Manchester, or coming to London, to impress upon them the importance of removing the obstacles to a supply of cotton from India; until an outcry was raised that Manchester men looked upon India merely as a cotton farm, and made all the politics of India revolve round their own selfish interests. He declared that he had almost felt inclined to share that sentiment upon seeing Manchester persevering so pertinaciously in the matter. Indisputable as were these facts, how could any one impute blame to Manchester. The Manchester cotton-spinners were not a majority in the Cabinet. They did not appoint the President of the Indian Board. But all that they could do they had done in stimulating the Government to remove obstacles which the Government might have removed, so far as to enable cotton to be brought to the sea-coast by road or river, instead of on the backs of bullocks. All had been urged in vain; and when this crisis came, it was not becoming to cast blame on this great industry for a calamity which had fallen unexpectedly, and which it was the duty of Parliament to remedy by the best means within their power.

Mr. Alderman SIDNEY said, he doubted the soundness of the principle involved in the Amendment, which would enable the distressed unions to borrow money for the payment of ordinary relief. It was very proper to distribute the burden over neighbouring localities by a rate in aid, but it could not be right to encumber with debt parishes which were sure to be exhausted by unusual claims upon their funds. He should therefore vote against the Amendment.

MR. PULLER said, it would be more convenient to have the clauses and the Amendments printed and the Bill re-committed, in order that they might fully understand what they were discussing. It was admitted that the manufacturers, tradesmen, and operatives were not in the least degree to be blamed for a crisis which was unprecedented in the whole history of the Poor Law. The only question was, how the difficulty could be best met; and, while he did not object to the principle of borrowing, he did not think that that mode would be altogether successful. He understood that the power to borrow was not to be exercised until the expenditure of the whole union amounted to *5s.* in the pound upon the average annual value of the property in the union; but it must not be forgotten that in some parishes, like Stockport, the rates could only be collected upon 40 per cent of the annual value, and therefore the rates would have risen to a much higher sum than *5s.* before the remedy could be applied.

MR. J. B. SMITH said, he was decidedly opposed to the principle of a loan. Some hon. Members seemed to think that if the war in America were settled to-morrow, the distress in Lancashire would at once cease. But he could not share that opinion. We had been dependent on America for 85 per cent of the cotton we used. There remained in America some three or four millions of bales, but there was none elsewhere in the world. Therefore, as soon as that cotton was obtainable, a scramble for it would ensue, not only by England, but by France and Germany, and by America; for at that moment cotton was worth *2s.* a pound in New York which was only worth *1s. 5d.* in England. But the estimate that he had made was that in America not more than one-fourth of the usual quantity had been sown this year. Where were we to get our supplies from? India was our only resource. And what was the state of things in India? Last year we received 1,000,000 bales. His hon. Friend the Member for London (Mr. Crawford) once thought this year we should receive 1,250,000 to 1,500,000 bales, but he believed he was not of that opinion now. From all accounts the cultivation had not increased there, except to a small extent. The expectation of obtaining Indian cotton was really very slight; and it was not likely, with the loss of capital and the disorganized state of the Southern States, that if they could settle their disputes to-morrow, they would be able at once to resume their old supply. The war appeared to be drifting into an anti-slavery contest, the issue of which no man could foresee, and it was obvious that America could not for many years to come, if ever again, produce so large a supply of cotton. With such a prospect before them, it would therefore be folly for the guardians of unions to burden themselves with the yearly payment of interest and sinking funds on loans. He must candidly confess that he did not know what the result of the present crisis would be. The manufacturers had kept their mills at work at a loss—in fact, the manufactured article had actually in some cases been sold at *3d.* per lb. less than the raw cotton. He could not allow that the manufacturers had reaped the whole benefit of the trade's past prosperity. In his opinion, the landowners of the cotton districts had equally shared in the prosperity; for there had been instances in which the rents of land had been increased seven-fold; but whilst the cotton manufacturers were called upon to pay rates for the relief of the present distress out of their capital, the landowners did not pay one farthing out of their enormously increased rents. It would only be just and equitable therefore if they were called upon to sustain their share of the present burden.

MR. C. P. VILLIERS said, the question raised by the hon. and learned Member for the Tower Hamlets was the principle upon which the unions should obtain aid in case of need. That question was a very difficult one to decide, and there could be no doubt that many hon. Members had changed their opinions upon the point since the Bill had been introduced. After a most careful consideration, he could only repeat the reasons which he stated the other night which induced him to prefer the mode which was recommended in the Bill, that mode being that relief to a union overburdened with the charge for the poor should be by a rate in aid rather than by a loan. It seemed to him that the proposal harmonized with the prevailing system—that it was consistent with the mode in which the funds for the relief of the poor were always raised—namely, of rating local visible property to meet the current expenditure of the year. It was likewise considered to be a wholesome check on extravagance and careless expenditure. He thought, also, there was something equitable and appropriate in calling upon the counties to contribute to the distressed manufacturing districts, seeing, as was generally admitted, how much they had benefited from their neighbourhood with all the commercial wealth and capital which the cotton business brought into their districts. On the other hand, looking to the state of the country, it was utterly impossible to doubt that the prosperity of the district would, sooner or later, revive, and those who raised the money now would be sure to be able to repay it. There was this advantage in raising the money by loan—it would prevent a great deal of disorganization of labour and capital which must follow from the continuance of this distress and consequent pressure on the ratepayers; at the same time, it was open to the remark that people were not careful in administering money raised in that way, and unless the administration were very careful indeed, the most enormous mischief would be inflicted on those districts. He did not wish to say more against the proposition for raising the money by way of loan, but he thought the argument prevailed in favour of the plan proposed in the Bill. The opinion gained ground, that the more equitable way of raising the money would be by contributions in aid. There seemed to be a general assent to that on the part of the districts, and he hoped the House, by a division on his hon. Friend's Amendment, would maintain this portion of the Bill.

COLONEL WILSON PATTEN said, the diversity of opinion in the House very closely represented the divided state of opinion amongst his constituents. He thought they ought to make the owners of property in some sort contribute to the burden; but he was satisfied that that could not be done directly, otherwise it would become necessary to include stock in trade. On the other hand, if the plan of loans were adopted, the owner of property would be made to pay his proper share as well as the occupier.

VISCOUNT PALMERSTON: My right hon. Friend stated with great fairness the arguments in favour of these two modes of raising money—by rate in aid, and by way of loan. No doubt raising money by loan would, on the first blush of it, recommend itself to most people. It is the easiest way. It postpones till a future time the pressure of the moment. Those who borrow the money will probably not have to pay it; and it is in all things and on all occasions the safe outlet from immediate difficulties. But there is an afterclap even to raising money by loan; the difficulty is not diminished by postponement; and I do not think that those parishes or unions which raise the rate would find, when the time came to pay interest and capital, that they were benefited by having the burden thrown on them, instead of having contributions from other parts of the county. I must say I think that the raising by loan would be the establishment of a new and a very dangerous precedent. For certain permanent purposes, which have been mentioned in the course of the debate—the erection of union-houses, the getting rid of a part of the pauper population by emigration — Parliament has sanctioned the principle of raising loans by a mortgage of the rates; but never yet, I believe, has a loan been raised for the purpose of the daily, weekly, and monthly wants of parishes or unions. Never yet have loans been raised to pay for the bread, linen, and daily expenses incident to the relief of the poor. Now, if you raise a loan for this occasion, other occasions would present themselves equally calling for it. Other parts of the country would call upon you equally to raise a loan; and then my right hon. Friend the Chancellor of the Exchequer would have an appeal made to him probably, as was made in the case of loans for Irish purposes, that the parishes or unions were oppressed by calamity — that it was impossible for them ever to repay; and then, according to the argument used, that the pressure arose from national policy, and the nation ought therefore to pay, we should be called to transfer the payments from parishes or unions to the Consolidated Fund. Now, I should hope the Committee will not take any step in that direction. The question has been asked, would these two counties be able to give the rate in aid? There can be no question about that. Those who are best acquainted with the resources of Lancashire and Cheshire assure me, that if the whole working population — man, wife, and children—were thrown entirely out of work, the rateable property of those two counties would be perfectly able, without undue pressure, to supply the funds for aiding the whole. I think that is perfectly just; because no man can shut his eyes to the fact that there is not an acre of ground in these two counties which has not derived an infinitely enhanced value from the prosperity of their manufacturing industry. The owners and occupiers of land there may not share the profits arising from the capital of the manufacturers, who have amassed great fortunes, but the produce of the soil has been sold for a greater amount — those who have disposed of properties there have obtained for them a fabulous price, in consequence of the demand arising from the manufacturing industry of those counties. Therefore it is really very just that the proprietors there, even those who are not engaged in manufactures, and have not accumulated enormous capitals, as many of the manufacturers have done, should contribute on this occasion for the relief of the suffering working classes. It seems to me, then, that a rate in aid is fair in principle, that it will be sufficient for its purposes and in its application. I therefore trust that the Committee will not be led away by the plausibility of a temporary loan, that it will adhere to sound principles of legislation, that it will adopt in this case that system of a rate in aid which belongs to our old established law, and not now set a precedent which is not only vicious in itself, but dangerous in the consequences to which it might lead.

MR. COBDEN: I would beg to suggest to my hon. Friend the Member for the Tower Hamlets that he will not press his Amendment to a division. This is a question on which the Government has not yet expressed its opinion. ["Oh, oh!"] Although clauses have been omitted from the Bill, yet we have never heard distinctly that the Government would oppose my hon. Friend's proposition. I think it would be much better that the districts concerned should have an opportunity of considering the Bill in its amended shape before a division is taken upon the question whether borrowing powers should be granted to them. There can be no doubt that the Bill has been completely changed. At first it was proposed that a rate in aid should be given where the rates in any parish amounted to two-thirds more than the previous average, but now it is proposed to give no extraneous assistance until after the rate has risen to *5s.* Those parishes which had been expecting that this Bill would bring them aid from other parishes by means of a rate in aid, in the event first contemplated by the right hon. Gentleman the President of the Poor Law Board, ought therefore to have an opportunity of considering the change now introduced in the Bill. My hon. Friend the Member for Stockport would seem to have forgotten that his own constituents have presented a memorial strongly urging that they should be allowed to borrow money on the security of the rates, in order that they may set people to work. My hon. Friend has had a deputation from them in London, and perhaps his eloquence convinced them that they are wrong, but he has not convinced the board of guardians at Stockport. I hold that it is the interest of the country, as well as of Lancashire and Cheshire, that they should know what we are doing before we finally decide this question. I hope my hon. Friend will not press his proposition to a division, especially as he has mentioned the *maximum.* He has proposed that the parishes or unions should be allowed to borrow to the extent of one-half their rental. Now, I do not think that it is necessary in the case of Rochdale that they should have the power of borrowing more than one-fourth between this time and next March. If the Government will take upon themselves the responsibility of this question, I hope my hon. Friend will not press his proposition to a division.

MR. J. B. SMITH said, it was quite true that the board of guardians for Stockport did desire to have power to raise a loan, but it was under a misapprehension which he had explained. The mayor of Stockport and the chairman of the board of guardians were satisfied that it would be best to adopt the Bill of the Government.

MR. E. P. BOUVERIE said, he must protest against the question being treated as one affecting Lancashire and Cheshire only. It was a national question, which concerned all the ratepayers of the country. The arguments of the noble Lord at the head of the Government and those of the hon. Member for Stockport against a loan were conclusive. Borrowing was a very tempting and easy means of getting rid of a difficulty; but after the indulgence in that luxury came the terrible ogre called "interest," which grew larger day by day, and was often followed by the process of re-borrowing, which they all knew to be the certain road to ruin. If the hon. Member for Rochdale would examine the matter broadly and impartially, he would see the dangerous nature of that course.

Mr. AYRTON said, he had fulfilled his duty in bringing this matter before the Committee, with whom it rested to express its opinion upon it then, or adjourn it to a more convenient time. At the same time, he would beg to disclaim the ulterior views which the noble Lord (Lord R. Cecil) had ascribed to him.

Mr. COBBETT said, he should be sorry if they came to a division at that stage of their proceedings. His constituents had scarcely had time to consider the measure. He had received a short letter from the clerk to the Oldham board of guardians, stating that they were not disinclined towards the Bill before the House, but desired that a borrowing power should also be conferred. He was, himself, much inclined towards a rate in aid, but at the same time was not opposed to any other course which the Government might propose to avert the danger of the people of the manufacturing districts being left to starve. It had been said that they had been much pressed on this matter. Now he had heard that the rates paid by his constituents were 2*s.* in the pound, but great apprehensions existed, and he could not help feeling that there would be great distress before that time twelve months.

Amendment *negatived.*

Clause *agreed to.*

Mr. C. P. VILLIERS said, he would then propose the following new clause :—

Clause (C.) (How Annual Rateable Value of Property to be Estimated.)

"For the purposes of this Act the annual rateable value of the property within the several parishes and unions hereinbefore referred to, shall be estimated in the manner in which the same is required to be taken in computing the amount of contributions to the common fund by the law in force for the time being."

Clause *agreed to.*

Mr. LYGON moved a new Clause :—

(Chairman and Vice Chairman of Unions contributing may vote at Meetings of Guardians of the Union aided.)

"The chairman and vice chairman of the board of guardians of any union, parish, township, or incorporation, any part whereof is called upon to contribute in aid to another union, parish, township, or incorporation, shall be entitled to take part in the proceedings of the board of guardians administering the relief so contributed, and to vote thereupon, in like manner as if they were guardians of the poor within the union, parish, township, or incorporation receiving the contribution in aid."

Mr. C. P. VILLIERS said, he thought the admission of such a large number of persons to the board aided would be productive of considerable confusion, and that the object of the hon. Member might be attained by the appointment of auditors to examine the accounts.

Colonel WILSON PATTEN said, he considered some check necessary on the parties voting the money.

Mr. LYGON said, that he would withdraw the clause; but, at the same time, he wished to intimate an intention of bringing forward the subject again, should the Ministry take no step in the same direction.

Motion, by leave, *withdrawn.*

Mr. COBDEN said, he wished to inquire when the next stage would be taken.

Mr. C. P. VILLIERS : To-morrow.

Mr. COBDEN said, he considered that too early, and would suggest Thursday for the next stage.

The Marquess of HARTINGTON said, he thought that sufficient time ought to be allowed in order that hon. Members representing the districts affected might learn something more of the opinion of their constituents.

House *resumed.*

Bill *reported;* as amended, to be considered on *Wednesday,* and to be *printed.* [Bill 240.]

BANKRUPTCY ACT (1861) AMENDMENT BILL—[Bill No. 223.]

CONSIDERATION.

Order for Consideration read.

Mr. ROLT said, that the Bill proposed to abolish certain offices, and give compensation to the holders. It was quite right that the House should vote compensation for offices abolished, in order to effect real improvements in the law; but care should be taken that while one set of officers were abolished, another set, substantially the same, was not created, to be paid for out of the Bankruptcy Funds. Three houses belonging to the Insolvent Debtors Court were to be retained for the purposes of the new Bankruptcy Court. Some of the officers were transferred, and were to discharge their duties in these three houses. The housekeepers, however, were to be abolished and to have compensation. Now, he objected to their handing over those offices to other persons who were to receive salaries from the Bankruptcy Court. He did not observe in the Bill any proviso respecting the arrears since October, 1861.

MR. PEEL said, that the Bill related altogether to the officers of the late Insolvent Court for whom no employment in the Bankruptcy Court could be found, and who were to receive compensation for the loss of their offices. Those officers who were transferred to employment in the Bankruptcy Court would continue to receive their salaries; those left in charge of houses, if any, would be paid as hitherto; those who were not employed at all would be pensioned on the basis of an average of seven years' emoluments, into which class the housekeepers would fall on their ceasing to have charge of the houses. No new offices would be created; and if additional officers were required, it would be easy to re-appoint those whose services had been dispensed with, in which event they would receive salaries, but of course their compensation would in that case cease to be paid.

MR. HENLEY said, that though nothing might be easier than to do what the right hon. Gentleman proposed, the question was whether it would be done. Some words should be inserted in the Bill to that effect.

Bill, as amended, *considered.*

Bill to be read 3° *To-morrow,* at One of the clock.

NIGHT POACHING PREVENTION BILL.

[BILL NO. 232.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."

MR. W. E. FORSTER remarked, that the Bill, as originally introduced, was a Bill to prevent "night" poaching; but in Committee the words defining night to mean from sunset till eight in the morning were omitted, confessedly under a misapprehension; and he therefore would move that the Bill be re-committed, in order to the restoration of the expunged provisions. So important an alteration should be fully deliberated upon before it was adopted, as it tended to add greatly to the objections already existing to the Bill. Another important change was made in Committee, by the rejection of the clause throwing the *onus probandi* on a suspected person to show that he was not a poacher, and that was an improvement. Still the Bill in its present form was highly objectionable, because its effect was to make the police game preservers by night and day. He admitted that outrages had occurred in connection with game, but he attributed them to a system of over-preservation.

Amendment proposed, to leave out from the word "Bill" to the end of the Question, in order to add the words "be re-committed,"—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GEORGE GREY said, he would point out that it was not necessary to re-commit the Bill to restore the restriction, which could be done when the amended clause came under consideration.

MR. P. S. WYNDHAM said, he should oppose the proposed alteration. If the police had power to search by day as well as by night, much would be done to put down the abuses which now prevailed. Professional poachers were in the habit of sending away their game by day rather than by night, and a case had come to his own knowledge in which carts laden with game were sent away three or four times a day from a certain village; and though all in the village knew where the game was got, nothing could be done to stop the carts.

MR. W. E. FORSTER said, he should withdraw his Amendment for the present, but would raise the question again when the hon. Baronet (Sir Baldwin Leighton) should move to omit the word "night" from the preamble.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered:—*

SIR JOSEPH PAXTON said, he wished to move a new clause. He proposed simply to have a register kept of the times that the police might have orders to interfere in the preservation of game, and also to oblige the persons who so employed them to pay for their services. If they were to give any effect to the Bill at all, the gamekeeper must have the power to call in the police when he knew that a gang of poachers were about to invade his master's premises. He thought it was right that the services of the police should be paid for in such cases. He had called upon Sir Richard Mayne that morning, and asked how he dealt with exceptional cases in which the services of the police were required; and Sir Richard told him that those services were paid for, and that the Commissioners of the International Exhibition, for example, would have to pay about £20,000, not only for the care of the Exhibition, but for three-fourths of the policemen up to Hyde Park Corner. He begged leave, therefore, to propose a clause to the effect—

(Register to be kept by Policeman.)

"That every policeman employed in carrying out the purposes of this Act shall keep a register of the orders given to him, and of the time he was employed on each occasion, and that the person by or for whom he was employed shall be charged for the time occupied and services rendered."

Clause (Register to be kept by Policeman) *brought up*, and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR BALDWIN LEIGHTON said, one would have thought that the hon. Gentleman had since the last stage of the Bill purchased a large property, and was become a great game preserver. According to the proposed clause a gentleman who wished to preserve game might get twenty or thirty policemen sent to preserve his game on conditions that he paid the cost. That was going further than he had himself intended.

SIR HARRY VERNEY said, he was convinced the effect of the Bill would be most injurious. One-fourth of the prisoners in Aylesbury Gaol were in for poaching, and the cause was the enormous amount of game preserving in the country around. Game preserving was most injurious to good farming, and whatever allowances the landlord made could not remunerate the farmer for the injury that was done to him.

SIR GEORGE GREY said, he hoped that his hon. Friend would not press his clause. He wished to call the attention of the hon. Baronet (Sir Baldwin Leighton) to the Irish Constabulary Act, which enacted that no constable should be employed, under the authority of the justices, in enforcing the preservation of game and fish. The present Act extended to Ireland, but the Irish police would not be employed in the manner proposed by the Bill.

COLONEL DUNNE said, he trusted that an Act would be brought in in the following year to repeal the clause of the Irish Constabulary Act.

COLONEL FRENCH said, that a pledge was given that the Irish constabulary should not be employed in the collection of revenue, but that pledge had been violated.

THE CHANCELLOR OF THE EXCHEQUER said, he had never heard a more inconsequent remark. The police of Ireland happened to be paid out of the public revenue, yet his hon. Friend argued that it was improper they should collect the public revenue.

COLONEL FRENCH explained that a pledge had been given that they should not be so employed.

Motion and Clause, by leave, *withdrawn.*

On Question, "That the Preamble be agreed to."

SIR GEORGE GREY said, he should propose to move an Amendment in line 1, which set forth that "whereas night poaching and murderous assaults arising therefrom have increased." That assertion rested on no evidence, for offences of the kind had not increased. He should therefore propose to omit the words after the word "whereas," so that the preamble might read, "Whereas it is expedient that the laws now in force should be amended."

MR. BERNAL OSBORNE said, he was not aware that this Act was to be extended to Ireland. Certainly, as far as that country was concerned, the preamble was inapplicable to the existing state of things. There was, he fully believed, no such thing as gang-poaching in Ireland. As a rather extensive game preserver, he did not believe that he had ever lost a head of game, nor had he ever heard of poaching in Ireland. This was the most extraordinary Bill ever brought in by a private Member at the termination of a lazy Session. If the Game Laws were to be tinkered with, it should be done by the Government. The fact was that game ought to be regarded as property. Pheasants were brought up like poultry, and ought to be considered as such. He could not agree with the hon. Member for Buckingham (Sir Harry Verney) as to the injury done to farming by game preserving, because the best farming was in Norfolk, and the greatest quantity of game was found in that county. [Mr. Cox: Not pheasants.] His hon. Friend who interrupted him had, he suspected, a much greater acquaintance with town sparrows than with pheasants. He believed his hon. Friend was a good shot; but if he went down into Norfolk, he would see whether there were any pheasants there or not. He believed that the House was only provoking unnecessary odium by tinkering with such a subject in such a manner. He should certainly vote against the extension of the Act to Ireland.

Amendment *agreed to.*

MR. W. E. FORSTER said, he would move, as an Amendment, that the words "night poaching" be inserted after the word "of," making the preamble read, "Whereas it is expedient that the laws now in force should be amended for the better detection and prevention of 'night poaching,'" instead of "such crimes."

Amendment proposed, in page 1, line 4, after the words "prevention of," to insert the word "night."

Question put, "That the word 'night' be there inserted."

The House *divided*:—Ayes 75; Noes 97: Majority 22.

Preamble *agreed to.*

Clause 1 (Interpretation of Terms).

SIR GEORGE GREY said, he would move the omission of the definition of the word "game" contained in the clause—namely, hares, pheasants, partridges, eggs of pheasants and partridges, woodcocks, snipe, rabbits, grouse, black or moor game, and eggs of grouse, black or moor game, for the purpose of substituting the definition contained in the present Game Acts. With regard to eggs, they had never before been included in any definition of game; and, though in one Game Act there was a special provision relating to the eggs of pheasants and partridges, yet it only sentenced persons taking them to a fine of 5*s*., whereas the Bill would subject them to a fine of £5 or imprisonment.

Amendment proposed,

In page 1, line 10, to leave out from the word "Act" to the word "and," in line 13, in order to insert the words "have the same meaning as it is defined to have in the Acts passed, the one in the ninth year of King George the Fourth, chapter sixty-nine, intituled 'An Act for the more effectual Prevention of Persons going armed by Night for the Destruction of Game,' and the other in the Session of the first and second years of King William the Fourth, chapter thirty-two, intituled 'An Act to amend the Laws in England relative to Game,'"

—instead thereof.

SIR BALDWIN LEIGHTON said, he thought the definition clause better as it stood. Former Acts had included the words "game or rabbits." He admitted that eggs were a new addition. It was not his proposition, but was proposed by another Member, and passed without a word of opposition.

MR. CRAWFORD said, that a division was taken on the word rabbits. He regretted the result of the decision which had been come to, because the objection was to increasing the law against day poaching; and the opponents of the Bill also objected to woodcocks, snipes, and rabbits being described as game, they not being game.

MR. BARROW said, he was not sure whether he should not at once move that the House do adjourn; and he thought he should be doing right in taking division after division until the supporters of the Bill could be induced to listen to the arguments against it. He believed stringent laws would not put down poaching. It was because he believed that this Bill was an entire mistake that he was opposed to it. The petitioners all objected to the police being employed in the preservation of game. It was impossible to make game property. There was no one more desirous to put down poaching than he was.

LORD LOVAINE said, he rose to order. The question they were discussing was, whether conies were to be classed as game.

MR. BARROW said, then he would speak about rabbits, and he did not think that hon. Gentlemen were wise in endeavouring to make rabbits game. A farmer was quite as much justified in destroying a rabbit as he would be in destroying a rat.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 85; Noes 75: Majority 10.

MR. BUTT said, he wished to move words to exempt females from being searched under the provisions of this Act.

Amendment proposed,

To add at the end of Clause 1 the words "but nothing in this Act shall be construed so as to authorize the searching of the person of any female under any of the provisions herein contained."

MR. NEWDEGATE said, he regretted the clause had been struck out which compelled game dealers to keep a register. He thought as the Bill was at first framed it was a very bad one, but it would leave the House in a good shape. He believed it would be impossible to make game property. The Amendment he should oppose, as it would be very easy to employ women to drive a cart containing game; and if they did so, they ought to be made amenable to the law.

SIR BALDWIN LEIGHTON said, he had no objection to the Amendment.

Question put, "That those words be there added."

The House *divided* :—Ayes 53 ; Noes 80 : Majority 27.

Clause *agreed to.*

Clause 2 (Power to Constables to search persons without Warrant in certain cases).

Mr. CRAUFURD objected to the extension of the Bill to Scotland. No case had been shown for such a provision. There were few or no preserves of pheasants and partridges in Scotland. He submitted, that the experiment should be tried in England first, and moved, that the words "Great Britain" be expunged, and the word "England" inserted.

Amendment proposed, in page 2, line 5, to leave out the words "Great Britain," in order to insert the word "England,"—instead thereof.

Question put, "That the words 'Great Britain' stand part of the Bill."

The House *divided* :—Ayes 95; Noes 55 : Majority 40.

Mr. BRADY said, that Ireland never had been a poaching country. Moreover, the police in Ireland had other duties to perform than to protect game. He moved that the words "and Ireland" be omitted from the Bill.

Amendment proposed, in page 2, line 5, to leave out the words "and Ireland."

Sir BALDWIN LEIGHTON said, he feared he could not consent to the Amendment. The Bill could do no possible harm to Ireland.

Question put, "That the words 'and Ireland' stand part of the Bill."

The House *divided* : Ayes 88; Noes 59 : Majority 29.

Amendment proposed, in page 2, line 8, after the word "Game," to insert the words "or of being accessory thereto."

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Another Amendment proposed, in page 2, line 8, after the word "Game," to insert the words "or any person acting in concert with such person."

Question proposed, "That those words be there inserted."

Mr. CRAUFURD said, he would move that the debate be adjourned.

Mr. NEWDEGATE opposed the Motion. He thought the hon. Gentleman was only making political capital out of the opposition to that Bill ; but as he had not the wit of the hon. Member behind him (Mr. Bernal Osborne), he did not know how to bring his small wares to the best market.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided* :—Ayes 47; Noes 96 : Majority 49.

Original Question again proposed.

Amendment, by leave, *withdrawn.*

Sir BALDWIN LEIGHTON moved the insertion, after the word "game," of the words "or any person aiding or abetting such person," or having in his possession any game unlawfully obtained, &c.

Amendment proposed, in page 2, line 8, after the word "Game," to insert the words "or any person aiding or abetting such person."

Mr. BUTT said, the clause as it stood was neither good English nor good sense. According to its language, the policeman would be bound to take himself into custody, and go through the ceremony of a search upon his own person.

Mr. E. P. BOUVERIE said, he would put it to the House whether they could go on with a Bill in such a state, or whether it was not discreditable to the House and to the country to persist in discussing a measure which was most unpopular with the public, and would be the laughing-stock of the courts. He hoped the hon. Baronet would withdraw the Bill, and obtain the assistance of some legal Gentleman who would put the clauses into proper shape.

Colonel NORTH said, the right hon. Gentleman did not seem to know that the clause had been drawn up by the Lord Chancellor himself, the phraseology of which had been so much ridiculed.

Sir GEORGE GREY believed, that the Bill was incapable of amendment, and it would be open to any hon. Member to move its rejection on the third reading. The Amendment now under consideration would render the measure more unintelligible than before.

Sir BALDWIN LEIGHTON defended the clause, and had no doubt that the Bill would be easily worked.

Question put, "That those words be there inserted."

The House *divided* :—Ayes 85 ; Noes 58 : Majority 27.

Sir FRANCIS GOLDSMID said, he would move the adjournment of the debate. He wished, also, to point out that the words just inserted would only apply to the "accessory," while the principal would escape altogether. The Bill was a disgrace to the Legislature; and as for checking poaching, its supporters might dismiss that from their minds at once.

THE CHANCELLOR OF THE EXCHEQUER said, it was too bad that they should be kept through the night upon such a measure. He should therefore vote for the adjournment, not for obstruction, but because of the very serious objections there were to the provisions of the Bill, especially those enabling policemen to search women, and to take men into custody merely on suspicion.

Motion made, and Question put, "That the further Consideration of the Bill, as amended, be now adjourned."

The House *divided*:—Ayes 51; Noes 81: Majority 30.

MR. BONHAM-CARTER proposed, that the penalty should be reduced from £5 to 40*s*.

Amendment proposed, in page 2, line 25, to leave out the words "five pounds," in order to insert the words "forty shillings,"—instead thereof.

Question put, "That 'five pounds' stand part of the Bill."

The House *divided*:—Ayes 76; Noes 48: Majority 28.

Other Amendments made, and Title amended.

Bill to be read 3° on *Wednesday*, and to be *printed*. [Bill 241.]

House adjourned at half after Three o'clock.

HOUSE OF LORDS,

Tuesday, July 29, 1862.

MINUTES.]—PUBLIC BILLS.—1ª African Slave Trade Treaty (No. 2); Bankruptcy Act (1861) Amendment; Burial Boards (Mortgage of Rates).

2ª Polling Places (New Shoreham, &c.); Militia Pay.

3ª Savings Banks (Ireland); Weights and Measures (Ireland) Act (1860) Amendment; Fortifications (Provision for Expenses); Thames Embankment; Parochial Assessments; Companies, &c.; Confirmation of Sales, &c.; Divorce Court.

Royal Assent.—Transfer of Land; Summary Jurisdiction (Ireland); Duchy of Cornwall Lands (Completion of Arrangements); Leases, &c. by Incumbents Restriction Act Amendment; Declaration of Title; Highways; Lunacy (Scotland); Pier and Harbour Orders Confirmation; Inclosure; Elections for Counties (Ireland); New Zealand; Parochial Buildings (Scotland); Merchant Shipping Acts, &c. Amendment; Naval and Victualling Stores; Jurisdiction in Homicides; Petroleum; Sheep (Ireland); Copyright (Works of Art); Harbours Transfer; Mutual Surrender of Criminals (Denmark); Indemnity; Jamaica Loan (Settlement); Turnpike Trusts Arrangements; Windsor Castle (Bakehouse).

PIRACY IN THE INDIAN ARCHIPELAGO.

QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE said, he desired to call the attention of Her Majesty's Government to an extract from a newspaper called the *Singapore Free Press*, which related to a transaction of considerable interest and some importance; so much so, that seeing the noble Duke at the head of the Admiralty in his place, he took the opportunity of making an inquiry on the subject. The *Singapore Free Press* made the following statement:—

"The Sarawak screw steamer *Rainbow*, Captain Hewat, which arrived here on the morning of the 2nd current, from Sarawak, brings us tidings of six of the large Llanun pirate prahus that have of late been doing so much mischief on the coasts of Celebes, Borneo, and Java, and which managed to elude the vigilance of all the war steamers sent out by the Dutch authorities in search of them. A condign punishment has, however, overtaken them, and probably at a moment when they thought themselves beyond that part of their route where danger of opposition was to be looked for. To Captain Brooke and his small force is due the sole credit of having given the only effectual check of late years to the career of these formidable pirates, who for some seasons past have been making desolating cruises throughout the Archipelago, in spite of the exertions of the Dutch men-of-war, and with entire forbearance towards them on the part of the British navy."

The noble Lord, having related the particulars of the destruction by the *Rainbow* of a squadron of six pirate boats, which had taken several prisoners from Muka and the neighbouring villages, read the following passage from the *Free Press*:—

"The rescued prisoners state that another Llanun squadron, consisting of five boats, separated from the one destroyed, and went in the direction of Billiton and Banca, and it would, no doubt, soon make its appearance among the islands in the China Sea, and on the coast of Borneo. Her Majesty's steam-ship *Scout*, now in this harbour, ought at once to proceed in search of this squadron, and do something to relieve the English navy from the slur which the continued apathy of naval authorities to the existence of the Llanun piracy so near our doors is calculated to bring upon it. All honour to the little *Rainbow* and her gallant commander, Captain Hewat, and the other brave men who accompanied him."

He wished to know from the noble Duke, Whether any information had been received on the matter to which he had called attention, and what steps would be taken for the suppression of piracy in the Indian Archipelago?

THE DUKE OF SOMERSET said, that Her Majesty's Government had received information with reference to the proceedings of the Rajah of Sarawak against the pirates, from an officer who had taken part in the proceedings, but the details were rather meagre. It was quite true, however, as was stated by that officer, that it was useless to attempt to overtake the pirates with a vessel of 1,400 tons, because they had vessels of very light draught, and the moment they were pursued by a vessel of war they sought the protection of the shoal water, where the large vessels could not follow; and it was necessary, therefore, that small gunboats should be provided to follow them. It was quite true that for the last two years piracy had been very rife in the Indian Archipelago, and Her Majesty's Government had called the attention of the Government of the Netherlands and the Government of Spain to the matter, with a view of organizing a proper naval force to put down piracy, and it was expected that an arrangement would shortly be come to between those Powers with that view. The only way in which that could be done was by means of a fleet of gunboats which had but a shallow draught of water. He believed that the officers upon the station had done their duty as far as they could to clear the seas of those pirates, but it must be remembered that the difficulties with which they had to contend had of late years very much increased. Hong Kong used to be the head-quarters of the Admiral, and from thence it was easy to send down ships of war against the pirates; but now the station had been removed to the northward, so as to take in Japan, and the coast to be overlooked by our naval force had considerably extended. Besides this, the necessity of affairs in China of late had withdrawn many of the small vessels which would otherwise have been employed in the suppression of piracy. He hoped, however, that in the course of a short time arrangements would be made in connection with the other Powers claiming property in the Archipelago, by which all difficulties would be removed, and piracy effectually suppressed.

Viscount Stratford de Redcliffe

VOLUNTEER FORCE COMMISSION.

OBSERVATIONS.

LORD TRURO said, that some time ago the Government were made aware that the funds of several corps of the Volunteer Force were not by any means in a sound state, and that unless they received some aid from Government there was little hope of those corps remaining in their present strength or condition of efficiency. Suggestions were made from time to time as to the mode in which aid might be afforded, but the Government paid little or no attention to those appeals; and at last a deputation waited on the Government, to request that a Royal Commission might inquire on the subject. A Commission had been appointed, but no Report was as yet forthcoming. He hoped it would be published before the end of the Session. There were one or two points on which they required reliable information. Certain departments of the Volunteer Force were not in proportion to the others. The Volunteer Engineer force, for instance, was not commensurate with the Rifle or Artillery regiments. He was also of opinion that the Artillery force should be trained to the practice of movable field guns, and not confined to mere garrison duty. He wished to ask the noble Lord the Under Secretary for War, whether the Report of the Commission had yet been received?

EARL DE GREY AND RIPON said, that although the Royal Commission had not yet sent in their Report, he believed they would do so within the next few days, and he hoped that it would be laid before Parliament before the Session closed. The noble Lord appeared to be of opinion that there had been unnecessary delay on the part of the Government in issuing the Commission. He could assure his noble Friend that that was by no means the case. It was in March that an influential deputation waited upon the Government, and the Government promised that a Commission should issue. The selection of Members was not free from difficulty, because it was desirable that the various interests concerned should be represented, while it was also necessary that the body should not be too large for practical purposes. Some little delay was unavoidable on that account; but by the 16th of May all formalities had been gone through, and on that day the Commission was issued. The first meeting of the Commissioners was on the 21st of May, and since that date they had examined fifty-one witnesses, and 1,488 circulars had been despatched to the commanding officers of Volunteer corps, and 1,212 answers had been received. It was evident, then, that the Commissioners had evinced the utmost diligence in the discharge of their duty. If, then, the Commission should report before the conclusion of the Session, it would be impossible for any one to accuse them of want of diligence, considering both the magnitude and importance of the question with which they had to deal. Whatever might be the recommendations of the Commission, the Government could not take any step without the fullest consideration. It must not be overlooked, that if the Government should come to the resolution to propose to Parliament to give to the Volunteer force additional aid, the character of that Force would be materially changed from that by which it had been originally distinguished—which was, that it cost the country nothing. With regard to the Artillery branch of the Volunteer service, they had always been treated with peculiar favour; and while it might be desirable for the sake of drill to allow them the use of 18-pounder guns of position, he did not think Volunteers could have time to give to the complicated and difficult drill required for field artillery. The Volunteers were peculiarly adapted for garrison artillery, and he was sure their desire would be to fill that position in which they would be most valuable and useful to the country.

LORD OVERSTONE said, he could assure the noble Lord (Lord Truro) that the Commissioners had approached the subject with a very deep and strong sense both of the importance and delicacy of the question submitted to them, and were impressed with the importance of a speedy decision. In the course of two months they had examined a large number of witnesses, they had gathered a great deal of information, and their Report was agreed upon that day, and was only waiting for the final signatures of the Commissioners. The inquiries of the Commissioners had strengthened their sense of the value of the force, and of the depth of the public spirit and the general union among all classes on which the movement was based. They had every reason to believe that that public feeling would remain unimpaired, and that, with a moderate assistance from the Government, any number of Volunteers needed might be enrolled. They had the most satisfactory evidence, that if an emergency should arise, Volunteers might be relied upon to come forward in any numbers to accomplish still further that noble purpose for which they were originally enrolled—the maintenance of the confidence of the country in its own resources, and the exhibition to the world of a united kingdom. The services of the Volunteers in any numbers might be confidently relied on whenever the honour and interests of the country were menaced.

GRAND JURY OF THE COUNTY OF LONGFORD.

ADDRESS FOR PAPERS.

THE DUKE OF NEWCASTLE rose to appeal to the noble Earl opposite (the Earl of Leitrim) to put off a Motion of which he had given notice for returns in reference to the arming and discipline of the constabulary force in Ireland. The Notice had only been placed on the paper on the previous evening; and as the Returns could only be obtained from Ireland, he must refuse them if the noble Earl pressed his Motion at that time.

THE EARL OF LEITRIM said, his object was to draw the attention of the House to resolutions of the grand juries of Longford and Roscommon, finding fault with the present organization of the constabulary force, and expressing dissatisfaction at information being withheld from the justices by the police. The noble Earl then *moved*,

That an humble Address be presented to Her Majesty for,

1. Copy of a Resolution adopted by the Grand Jury of the County of Longford, expressing their Opinion of the Necessity that some Change should be made with regard to the Arming and Discipline of the Police in Ireland; and all Correspondence connected with that Resolution:

2. Copy of the Informations taken by any of the Justices of the Peace for the County of Longford against William Clarke and Patrick Clarke of the County of Longford, for the alleged Crime of soliciting to Murder:

3. Copy of the Indictment against William Clarke and Patrick Clarke for the Charges brought against them at the late Summer Assizes:

4. Copy of the Verdict of the Jury at the late Summer Assizes for the County of Longford in the Case of "The Crown *v.* William Clarke and Patrick Clarke" under such Indictment:

5. The Amount paid to the Informant Bryan Young, alias Ross, by the Police, or by any Order of the Government, either previous to or subsequent to the above Trial:

6. The Total Cost of the above Trial, either in Fees of Counsel, Expenses of Police, or any other Expenditure relative to this Trial, under whatever Heads the Money may have been paid :

7. Copy of all Correspondence connected with this Trial.

THE DUKE OF NEWCASTLE said, he did not think that the Government would be doing its duty to the public if they published the mass of papers for which the noble Earl asked, merely for the purpose of supporting the vague charges which he was in the habit of making against the Irish police force.

THE EARL OF LEITRIM considered that he had done his duty in bringing the subject forward, and should always, notwithstanding the imputations the noble Duke had cast upon him, bring before their Lordships any abuses that came under his notice.

On Question, *Resolved* in the *Negative.*

House adjourned at a quarter past Seven o'clock, to Thursday next, half-past Four o'clock.

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HOUSE OF COMMONS,

Tuesday, July 29, 1862.

MINUTES.]—NEW MEMBER SWORN.—For Kirkcaldy District of Burghs, Roger Sinclair Aytoun, esquire.

PUBLIC BILLS.—1° Confirmation of Sales, &c.

3° Bankruptcy Act (1861) Amendment; Gunpowder Act Amendment; Burial Boards (Mortgage of Rates); Council of Medical Education; African Slave Trade Treaty (No. 2).

STANDING ORDERS REVISION.

REPORT.

Standing Orders of the House relating to Private Bills, read.

COLONEL WILSON PATTEN, in moving the consideration of the Report of the Select Committee for the revision of the Standing Orders relating to Private Bills [Parl. Papers 444, 444-1.], and the adoption of the Revised Orders, said, that in the course of the examination of the Standing Orders the Committee had anxiously considered how far the expense of obtaining private Bills could be diminished by an alteration in the Standing Orders. They had first considered the table of fees of the House itself, and next the charges of parties who were engaged in promoting Bills. The latter were, however, regulated by Act of Parliament and were not within the control of the Committee, and they therefore determined that it would not be right to revise the fees of the House alone, because the revision of both schedules ought to take place together, and in connection with an investigation as to the mode in which the whole private business of the House was transacted. The Committee had made a Report in conformity with that opinion, recommending that an inquiry into the expediency of reducing the fees of the House and other charges on private Bills should take place as soon as possible. He should therefore move early next Session for a Committee to inquire into the great expense to which parties were subjected in passing private Bills through Parliament, with a view to its reduction. The alterations which the Standing Orders Committee had made pending their inquiry were chiefly with the view of assimilating the orders of that House with those of the other House, and of adapting them to the altered system under which private Bills were introduced into the other House of Parliament as well as into that House. As his duties as Chairman of the Standing Orders Committee and Chairman of the Committee of Selection enabled him to judge of the manner in which the private business of that House was transacted, he could not allow the present opportunity to pass without bearing testimony to the very great sacrifice of time and labour on the part of several hon. Members of that House in discharging duties which, although no doubt secondary, were still very important. He wished also to draw the attention of the House to the manner in which the Chairmen's panel of Railway, &c., Bills conducted their investigations. He was sure the House and the public had very little idea of the time voluntarily devoted by private Members to the duties connected with private legislation. Among the Chairmen of Railway Committees during the Session, Lord Stanley had served 65 days; Mr. Adair, 56 days; Mr. Hassard, 47 days; Mr. Puller, 59 days; Mr. Scholefield, 35 days; Mr. Woods, 36 days; and Mr. Mowbray, 18 days. Although the expenses before Railway Committees were very great, the public were indebted to the panel of Chairmen for a great diminution in the cost under that head. Still, he was almost afraid to state the expense at which the private business of the House was conducted. Early during the present Session he moved for a Return of the expenditure incurred by railway companies in the conduct of their private business before Parliament. The Board of Trade had rendered him what assistance it could in obtaining that return, yet, although it had been moved for in March last, not less than 100 railway companies had not up to the present moment furnished the required Returns. The Motion for the Return was in the form of an Address to the Crown, so that the House had no means of enforcing it. He trusted that the right hon. Gentleman the President of the Board of Trade would not lose sight of the subject, and that he would do all in his power to obtain for the House a Return of the exact sum spent in private Parliamentary business by the various railway companies. Early next Session, as he had stated, it was his intention to bring the subject under the notice of Parliament.

Colonel FRENCH said, that he agreed that the subject ought to be considered by a Select Committee next Session.

Sir GEORGE GREY said, the country were very little aware of the extent of valuable labour which was bestowed on the legislation of the country by the Committee over which the hon. and gallant Member opposite (Colonel Wilson Patten) so ably presided, as well as by the Committees generally, records of their proceedings not finding their way into the usual channels by which Parliamentary proceedings were made known to the country. At a great sacrifice of time, those Gentlemen devoted their talents and gave their attention to the conduct of a business which had nothing very attractive about it.

Sir HENRY WILLOUGHBY said, he had hoped that the right hon. Baronet would have said something about the reduction of expenses in private legislation.

Sir GEORGE GREY: The hon. and gallant Member says he will bring the subject forward early in the next Session; and that course is one which I entirely approve of.

Mr. ADAIR moved, that in the proposed Standing Order 136 A, page 47 of the Report, the words "forms part of the continuous route of such railway" be omitted, and the words "is required to connect portions of railway belonging to or proposed to be constructed by such company" be substituted.

Motion *agreed to.*

Ordered, That Standing Orders, 4, 11, 15, 24, 25, 26, 30, 62, 93, 103, 132, 163, 165, 184, 200, 205, and 207, be repealed.

Standing Orders relating to Private Bills, as reported by the Committee, with Amendments to several of them, *agreed to,* and made Standing Orders of the House.

Standing Orders of the House to be *printed.* [Parl. P. No. 462.]

ROYAL ACADEMY.

ANSWER TO ADDRESS.

Viscount BURY (Treasurer of the Household) appeared at the Bar, and read the Reply of Her Majesty to the Address presented to Her by the House, on the Motion of Lord Elcho, with respect to the Royal Academy—

"I have received your Address praying that a Commission may be issued to inquire into the present position of the Royal Academy in relation to the Fine Arts, and into the circumstances and conditions under which it occupies a portion of the National Gallery, and to suggest such measures as may be required to render it more useful in promoting Art and in improving and developing Public Taste.

"And I have given directions that a Commission shall issue for the purposes which you have requested."

ROAD ACROSS HYDE PARK.

QUESTION.

Sir MORTON PETO said, he rose to ask the First Commissioner of Works, If he will permit the temporary Road across the Park from Bayswater Road to the Queen's Gate, Kensington, to remain open for six months after the close of the International Exhibition, to allow time for consideration of the best plan for the permanent Road; and if it is not desirable to incur the small expense which would be incident to the cleansing the façade of the Marble Arch at Cumberland Gate?

Mr. COWPER in reply said, that on the occasion of the passing of the Vote for the temporary road it was distinctly stated that it was only to be continued while the Exhibition was open; and he did not feel justified in departing from that arrangement. But the experience they had acquired of the utility of the road must be very useful in any future consideration the House might bestow upon that subject. With respect to the Marble Arch, he had to state, that like other public monuments exposed to the atmosphere in London, it would require periodical cleansing. He had tried for that purpose the employment of water from a fire-engine, but without any decided success. He believed that before long it would be necessary to cleanse the Marble Arch more thoroughly; and, indeed, he thought it ought to be subjected to that operation about once in every ten years.

VACCINATION.—QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask the Vice President of the Committee of Council, Whether it is the intention of the Lords of Privy Council, in consequence of the way in which the Compulsory Vaccination Act has worked, to permit gentlemen who have the diploma of the Royal College of Surgeons, and who have also undergone an examination in Vaccination, and have obtained a certificate of competency in Vaccination, to receive the appointment of Public Vaccinator wherever Boards of Guardians are disposed to make the appointment under such qualifications; and whether the Privy Council has not been made acquainted with the apparent necessity for some relaxation of the regulations with reference to the present mode of appointing Public Vaccinators?

MR. LOWE said, that when Parliament established the system of compulsory Vaccination, it became the duty of the Privy Council to see that the system of Vaccination was as good as possible, and regulations were established under which persons properly qualified were enabled to contract with Boards of Guardians to perform the duty of Public Vaccinators. Inquiry was made into the state of instruction in vaccination, and it was found that of the bodies which gave medical and surgical degrees none took any care at all about the instruction of their pupils in vaccination; the consequence of which was that the Committee of Council established fifteen stations in England, presided over by persons whom they knew to be skilful vaccinators, and they required that every person who took his medical degree after 1860, who wished to contract with Poor Law Guardians, should produce a certificate of qualification in vaccination from one of these fifteen stations. Care was taken that there should be a station near every place of medical education in England. These were the precautions which were taken. He was now asked by the hon. Gentleman whether it was not considered right to relax these precautions in favour of gentlemen who have the diploma of the Royal College of Surgeons. He did not think it would be right to do so, and for this reason—the Royal College of Surgeons did not give instruction in vaccination to their pupils, nor did they take the trouble to examine them to ascertain that they were vaccinators; they only required that some certificate should be had from a medical practitioner that the candidate could vaccinate. He did not think that such an arrangement afforded sufficient security that a person was qualified to vaccinate, and the Privy Council would, therefore, persist in requiring a certificate of competency from some person who they could feel sure was qualified to give a decision in the matter.

THE ALLIES AT SHANGHAI.

QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for Foreign Affairs, What foundation there is for the statements in the China journals that the Allies at Shanghai had been obliged to relinquish all the cities and positions they had captured from the Taepings and retire upon Shanghai; that 400,000 rebels had suddenly appeared, and in exasperation for the allied attacks upon them, were desolating the neighbourhood of Shanghai; and whether a requisition had been made to the Indian Government for a reinforcement of troops?

MR. LAYARD said, in reply, that no information had been received by the Government which at all corroborated the statements in the question of his hon. and gallant Friend. The Allies had not been obliged to relinquish their positions in the neighbourhood of Shanghai, although the General in command had thought it right, for strategic or other purposes, to withdraw a portion of the troops from certain points. With respect to the 400,000 rebels, he believed they only existed in the imagination of the officer who had communicated with his hon. and gallant Friend. He did not believe there was anything like that number in the neighbourhood of Shanghai; and as regarded a requisition for reinforcements, he knew nothing about it, and he believed that nothing was known about it at the War Office.

EMPLOYMENT OF SAPPERS AND MINERS AT THE INTERNATIONAL EXHIBITION.—QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask the Secretary of State for War, Whether there is any truth in the report that a body of Sappers and Miners had been marched into the International Exhibition Building and had forcibly covered up and hidden the stall of an Exhibitor, in consequence of such Exhibitor having placed on his own glass case a printed expression of opinion adverse to the decision of the Commissioners who had adjudged the Prizes, and that guards had been mounted over the same stall; and if this report was true, by whose authority had the military been thus employed?

SIR GEORGE LEWIS said, he found, upon inquiry, that no guard of Sappers and Miners had been placed over any stall at the Exhibition. But one of those notices of adverse opinion having been put up at a stall, a Sapper caused the stall to be covered up, under the authority of the Commissioners for the Exhibition, as communicated to him by the superintendent of the class to which the stall belonged.

THE CURRAGH OF KILDARE.

QUESTION.

COLONEL DUNNE said, he rose to ask the Secretary of State for War, Whether any and what steps have been taken to put a stop to certain proceedings that have taken place at the Curragh of Kildare, and what measures he proposes to adopt to enforce regularity within the camp? He also wished to ask the Secretary of State for War, if the Report of the Select Committee on Small Arms at Woolwich, relative to the fifty-two Small Arms sent in for trial in conformity with War Office Letters of June 1859, $\begin{array}{c}81\\ \hline W\\ \hline 152\end{array}$ September 6, 1861, $\begin{array}{c}81\\ \hline G\ N^{o}\\ \hline 256\end{array}$ is yet received, and ordered to be printed?

SIR GEORGE LEWIS said, the Report had not yet been completed, but he expected it would shortly be presented. With respect to the proceedings at the Curragh, some general directions had been given.

THE PATRIOTIC FUND.

QUESTION.

MR. KINNAIRD said, he wished to ask the Secretary of State for the Home Department, Whether he is aware that no Report of the Proceedings of the Royal Commissioners for managing the Patriotic Fund has been made since February, 1858; and whether he has any objection to state if he has received any Special Report from the Royal Victoria Female Orphan Asylum of its management during the present year?

SIR GEORGE LEWIS said, he understood that no such Report had yet been made, but that one would shortly be produced. He believed that it would contain some explanations with regard to the Asylum to which his hon. Friend referred. He would make further inquiry with regard to the administration of that fund; and if he should ascertain anything of importance, he would communicate it to his hon. Friend.

VOLUNTEER FORCE COMMISSION.

QUESTION.

MR. T. MILLER said, he would beg to ask the Secretary of State for War, When the Report of the Royal Commission upon Volunteers will be ready; and whether, if not laid upon the table before the end of the present Session, it will be delivered to Members during the recess?

SIR GEORGE LEWIS said, he understood that the Report of the Commission upon Volunteers had been actually signed, and was likely to be presented before Parliament separated.

THE STANDARDS OF WEIGHT AND MEASURE.—QUESTION.

MR. DOULTON said, he would beg to ask the Secretary of State for the Home Department, Whether the Standards of Weight and Measure deposited at the Exchequer in the year 1825 have been used as tests of accuracy from that period up to the present time without being examined, adjusted, or re-verified?

SIR GEORGE GREY was understood to reply that the Standards had been examined; some adjustment was found necessary, and measures would be taken to have them re-verified.

ADMIRALTY REFORM.

RESOLUTION.

SIR MORTON PETO rose to move as a Resolution—

> "That in the opinion of this House it is the duty of Her Majesty's Government, during the recess, to prepare a measure for Reform in the Naval Administration."

He said, I feel that I owe an apology to the House for bringing this question forward. It has been submitted to their notice in former years by more influential Members than myself—by the right hon. Baronet the Member for Droitwich (Sir John Pakington), by the hon. Member for Portsmouth (Sir James Elphinstone), and by the gallant Admiral the Member for the East Riding (Admiral Duncombe). I have hoped throughout the Session that one or other of them would have called the attention of the House to the subject, and it is only in consequence of their default that I have felt it a paramount duty not to allow the Session to terminate without making an endeavour to obtain an expression of opinion on matters of the gravest importance to the country.

Sir, let us inquire how this question stands? I think I may fairly assume that there has been growing discontent not only in this House, but in the country, ever since the war in the Crimea, with the naval and military administration of the country. We have had Committees and Commissions on almost every department of the navy, on gunnery, on gunboats, on harbours, on pensions, on dockyards, on promotion, on the manning of the navy, on the Estimates of the navy, and lastly on Admiralty administration. These have been so many expressions of want of confidence in the present naval administration of the country. The time of the House, during the last Session, was taken up to an immense extent in the discussion of every branch of naval administration. On the very first night of the Session of 1861 the right hon. Baronet the Member for Droitwich gave notice of a Committee of Inquiry, which he subsequently abandoned. On the 28th of February the hon. Baronet the Member for Portsmouth gave notice of a series of Resolutions, which commenced with a declaration that "the mismanagement of naval affairs is due to the inefficiency of the present means of naval administration." Those Resolutions led to an interesting debate; and they were only withdrawn on a proposal of the Government to agree to a Motion of the hon. and gallant Admiral the Member for the East Riding, for a "Select Committee on the Naval Administration of the Country." That Committee was appointed, although there was great difficulty in nominating it. The discussions on the appointment of the Committee opened up the whole question of naval administration. In the course of the debates the hon. Baronet the Member for Portsmouth stated that "with the present system of naval administration it was wholly impossible for the affairs of the navy to be carried on with efficiency." The hon. and gallant Member for Christchurch said, "the country was thoroughly dissatisfied with the constitution of the Board of Admiralty," and the gallant Admiral the Member for Devonport said, it was "quite clear that some change was necessary to meet the complaints of the unsatisfactory manner in which the business of the Admiralty was conducted." All this related to the Board of Admiralty itself, but expressions were made use of showing the state of opinion in the navy with regard to this matter. The gallant Member for Christchurch spoke of "the discontent which had long been smouldering in the navy," and the Secretary to the Admiralty "admitted that there was dissatisfaction." The hon. Baronet the Member for Portsmouth said—

> "The bounty had brought utterly unfit men into the navy; it had collected the scum of the seaports—men who were both morally and physically incapable of forming good seamen, who required punishment to keep them up to a proper state of discipline, but whose enfeebled and diseased bodies were unable to bear that punishment." [3 *Hansard*, clxi., 1126.]

And Sir Michael Seymour said—

> "Every attempt recently made to man our ships or to form a reserve had been a failure. The bounty had not succeeded, and the measures adopted upon the Report of the Manning Commission of 1853 had produced only a comparatively small addition to our force of seamen. At present we had actually not the means in reserve for manning a single ship." [3 *Hansard*, clxi., 1159.]

The gallant Admiral the Member for the East Riding said—

> "There could be no doubt that there was widespread dissatisfaction on board our ships. . . . It behoved those who had the management of the navy to devise a scheme which would induce seamen to enter the service, and to make them more satisfied with it when they had entered it." [3 *Hansard*, clxi., 1243.]

Even the right hon. Baronet the Member for Halifax, who had been a First Lord of the Admiralty, admitted "the necessity of inquiring into the ground of these complaints;" and another First Lord, the right hon. Baronet the Member for Droitwich, expressed his "strong opinion of the unsatisfactory position of the Department generally."

After, Sir, such expressions of opinion as these, the Government had no choice but to consent to the appointment of a Committee. There was much difficulty, as I before observed, as to the members to serve on it; but at length a Committee was appointed. The Committee met, and examined thirteen witnesses. Of those witnesses five had been civil First Lords, three had been naval Lords, and five were independent naval officers. The Committee made no Report: they contented themselves with laying on the table of the House the evidence they had taken. No one who has looked through the evidence will feel the least surprise that the Committee should have taken this course. Most of the witnesses were themselves members of the Committee, and of the eight witnesses who had filled office it may fairly be said that no two of them agreed upon any one point connected with the administration of naval affairs. Such diversity of opinion has probably never been before exhibited by the chiefs of any one profession. It was most extraordinary. But what was still more singular was, that whilst all the official witnesses differed hopelessly, all the non-official witnesses agreed at least as to one all-important fact—namely, that our present system of naval administration is irredeemably defective.

Now, Sir, as I fear that there are comparatively few Members of this House who have waded through the 1,000 closely-printed pages of evidence which was taken by this Committee, I shall venture to submit to their attention an analysis which I have made of the evidence, which, I think, will convince the House of the propriety of the Motion I have now the honour to submit to it. I am sure that the House will be both informed and amused if they will give me their attention whilst I read to them the evidence of the various First Lords. The first witness examined by the Committee was His Grace the Duke of Somerset, the present First Lord of the Admiralty, who discussed the present state of naval administration *pro* and *con.*, summing up his views as follows:—

"A Board has many advantages, and some disadvantages. I will state shortly what I consider its advantages. I think, in the first place, that it affords to the Minister, on his first appointment to the office of First Lord, great facilities for becoming acquainted with the details of business. It gives him an opportunity, if he feel doubt upon any point, of raising a discussion, and hearing the question argued by naval men with different views. I think the Board also constitutes an excellent tribunal to judge of many personal questions that must arise in the management of the navy, such as differences between naval officers, applications for special allowances or exemptions, the propriety of ordering a court martial, the review of sentences of courts martial, the remission of punishment, and the propriety of ordering prosecutions in some cases. All these are questions for which I think a Board forms an excellent tribunal; and I think there would be very great difficulty in performing that duty well, except it were performed with the assistance of something similar to a Board or council. I think, again, that a Board offers to its members opportunities of proposing a great variety of change in the regulations connected with the navy. All matters connected with the comforts of the sailors, and all questions connected with improvements in the fittings and armament of ships may be brought forward by any member of the Board and discussed there. I think that is a great advantage. I think a Board has a further advantage in one respect, that it increases the responsibility of the First Lord, if he should determine to act without consulting it, or hastily to overrule its opinions. I think that that is a great security which the country derives from having experienced naval officers at a Board to consult with him. I think, again, that a Board places at the disposal of the First Lord naval officers whom he can ask to act as a Committee to inquire into many professional subjects which arise, and upon which he would wish to have a special report; and he can ask any two officers of his Board to look into it, and having examined into it, to report to him. I think, again, that a Board affords great advantages to naval officers themselves. I think officers who have served as members of the Board, and who may be afterwards employed in great commands abroad; for instance, Admiral Milne, who is in the command of the North American station, must derive great advantage from the knowledge of political and professional questions that have been brought under his notice while he was at the Board of Admiralty."

That was his Grace's opinion as to the constitution of the Board of Admiralty. When he came to speak of details, his Grace admitted that "there were great anomalies in the formation of the Admiralty." For example—

"The signature of the Secretary and two Lords is sufficient to order any description of vessel to be built, although the other members of the Board, even including your Grace as First Lord, might not know anything about it?—It would be done in the board-room. It is quite true it might be done when two members of the Board, or three members of the Board were absent, and two members might then perform that act, as they might any other act, with the signature of the Secretary. But that would be a very unusual course; I think they would not do it unless they thought they were acting generally with the concurrence of the Board."

"I believe that on various occasions papers may go and have the signatures of two Lords and the Secretary, and therefore make them Board orders, but that the actual effect of those orders has never been discussed or decided by the general Board of the Admiralty?—The signatures to all documents of the Admiralty seem to me to be in somewhat an anomalous position. There are some orders that require the signatures of two Lords and the Secretary; there are others that require the signatures of two Lords; there are some, I believe, that require the signature of three Lords; and there are others that require only the signature of the Secretary."

"Equally making it a Board order?—Yes. The most important orders may be sent out from the Board of Admiralty, and only signed by the Secretary. I believe orders may be sent to all commanders abroad signed by the Secretary alone."

So that it appeared from the evidence of the First Lord of the Admiralty himself, that the Board of Admiralty was not, in point of fact, a Board at all, but something very different. Such was the evidence of the present First Lord. The next most important witness was Sir James Graham, who was First Lord of the Admiralty from 1830 to 1834, and again from 1852 to 1855. The following is a summary of Sir James Graham's evidence relating to a Board:—

"The Board of Admiralty never could work unless the First Lord was supreme, and exercised constantly supreme and controlling authority. If that supremacy be shaken in time of war, it would be impossible that the system could work, and in time of peace I do not think it would work satisfactorily. The powers of the First Lord are exercised not under the patent, but by usage and prescription. Objects to any attempt to make the patent more in conformity with usage. Thinks an entire change of the Board with every new administration inexpedient. Objects to the Secretary being a naval officer. Thinks it much more advantageous that the First Lord should be a Member of the House of Commons. The First Lord should consult the opinion of his colleagues, but decide for himself. Admits that the Junior Lords do not exercise the powers which the law has given them. Thinks they should be regarded as without official power to contravene a decision taken by the heads of the Board. Objects to measures calculated to elevate their position."

Those were the views of Sir James Graham relating to the working of the Board. But when he came to speak concerning details, it was quite clear, from Sir James Graham's evidence, that the state of affairs at the Admiralty under the existing system was most unsatisfactory—

"Are you of opinion that there is a want of harmony and concert between the chief departments of the Admiralty?—I have already admitted that I see traces of it with sorrow, and I have endeavoured to explain what I thought were the causes of it."

"Am I correct in supposing that you would not recommend any change in the constitution of the Board of Admiralty?—If the supremacy of the First Lord be admitted, and be not contradicted, I think that it is right now. If, in consequence of all these inquiries and commissions, the strict terms of the patent of equality be insisted upon, and the supreme power of the First Lord be shaken or negatived, I think the system is brought to an end, and must be changed. On the other hand, if the supreme power of the First Lord, as it has been exercised for centuries, be maintained inviolate, then I think it can work well as it is."

Sir Morton Peto

"I think you say this: 'I am for giving him the largest powers, but I am at the same time, for concentrating responsibility upon him; and if his powers be not sufficient (and there is some ground to doubt whether it be so now), then, I say, that the whole question of the command of the navy must be considered, because you must have a responsible Minister'?—I adhere to that distinctly; and you must permit me to say, that the doubts to which I refer there partly arise from some suggestions in questions which were put to me of a state of affairs which I did not think possible."

"Is it not clear that the whole state of the Admiralty and the Navy, so far as they are questions of valuation, are not in a satisfactory state?—I have given you a statement, as strong as I can put it, and from which I do not recede, that the state of the accounts with regard to labour and materials is in a most unsatisfactory state, and calls aloud for immediate remedy.

The next witness is Sir Francis Baring, the Member for Portsmouth. He said—

"He was First Lord of the Admiralty from 1849 to 1852. Thinks any change in the constitution of the Board would be inexpedient. Sees nothing better than the present system. Admits, however, that it would be very inconvenient for a First Lord not to have colleagues to work with him. He should have found much difficulty in effecting reductions which he was obliged to effect without the cordial co-operation of every Member of his Board. He could only have overcome such a difficulty by removing it (that is, removing the unwilling colleague). Considers it absolutely necessary that the First Lord should have power to form 'a Board' without summoning any other member. A Board, in official language, means almost anything."

It appeared, however, that the right hon. Baronet was himself scarcely sure as to what "a Board" really meant; for in answer to the question, "Is it not generally considered that a Board means a Board to the meetings of which it is necessary that the different members should be summoned?" he replied, "You may attach that meaning to it, but I was not aware of that meaning." The next evidence to which I will call attention is that of the present Secretary of State for War, who was Secretary to the Board of Admiralty from 1835 to 1839, and First Lord from 1855 to 1858. Sir Charles Wood was—

"In favour of a Board as at present constituted; but always, when First Lord, deferred to the opinion of his professional colleagues upon purely professional questions; obtained their concurrence in all appointments and promotions; disapproved of any permanent members. The First Lord 'has quite as much power as he ought to have.' In extreme cases he must be supreme, and must make his Board subordinate to his will; but such cases should never arise. Dissents from the opinion that a Board only works well when the head of it makes it as unlike a Board as possible. Never read his patent, but was guided

> entirely by prescriptive usage. Thinks the naval Lords should be in Parliament, but that the Secretary ought to be a civilian."

So much for the right hon. Baronet's views. It will be seen that he differed in many important matters from his colleagues. But I now come to the evidence of a First Lord who differs from all the other living occupants of that office. The right hon. Baronet the Member for Droitwich gave the strongest evidence against the present constitution of the Board of Admiralty. He commenced his evidence by comparing, greatly to the disadvantage of the Admiralty, the business as transacted by the Colonial Office and the Admiralty. Whilst at the Admiralty, he said that he never felt that he had either the knowledge, the control, or the responsibility which the head of such a Department ought to have.

> "A Board," said the right hon. Baronet, "is not a good machine for conducting the administration of a great Department. It is a feeble and unsatisfactory mode of administering the navy. He had serious and painful differences with the naval Members of his Board—the first respecting a change in the position of the medical officers of the navy; the second respecting an improved system of promotion and retirement. Was prepared to overrule his colleagues and act on his own responsibility on both occasions. Attributes neglects at the Admiralty to the system. The forcible exercise of supremacy by the First Lord is a painful proceeding, and is not wise, and is inconsistent with the view that the supremacy is unquestionable. A Board of Admiralty is a bad arrangement, and does not work well for the public service. The supremacy of the First Lord is nominal rather than real, and a sole Minister with sufficient advisers is better than the cumbrous machinery of a Board."

The right hon. Baronet explained at length the causes of his serious and painful differences with the members of his Board; and, if I remember rightly, there was another and a further painful difference, which caused the retirement of one, if not of two, members of his Administration, during his tenure of office. All these facts show that the present system does not work. The evidence of the several first Lords has, Sir, come to this:—The Duke of Somerset thinks the present system has advantages and disadvantages, the balance being in favour of the former. Sir James Graham is in favour of the existing system, if the First Lord is rendered an absolute despot; if not, he thinks the system had better be broken up. Sir Francis Baring is in favour of a Board, "which means anything," except, it would seem, that any members should be summoned to it. Sir Charles Wood is for the existing system, with power to remove the Junior Lords, and to abolish a Naval Secretaryship. Sir John Pakington, on the other hand, is opposed to any Board whatever, and is most anxious for an entire revision of the existing system. Well, then, I submit, Sir, that in the evidence of these great authorities my case is proved, and that it is the imperative duty of Her Majesty's Government to apply themselves to consider, during the recess, the present position of naval affairs, with a view to measures which will provide for their more efficient and economical administration. Having considered the opinions, or rather the conflict of opinions, respecting the office of First Lord amongst those who have filled that office, I now come to consider the evidence of another class of witnesses — the naval Lords. I will first quote the evidence of Admiral Bowles—

> "Was a member of the Board of Admiralty from 1844 to 1846. He was in favour of a Board. Thinks the present number of members would be totally insufficient in time of war. Even now thinks that the Comptroller of the Navy should have a seat at the Board. Thinks that the Board interferes too much with minor details, and that the Lords of the Admiralty should confine themselves more than they do to their peculiar business. Thinks that they waste much of their time in interfering with the duties of port admirals. Thinks that since the abolition of the Navy Board there is no sufficiently serious means of bringing the state of the fleet under the notice of the First Lord. Thinks our fleet was in a very imperfect and dangerous state when the Syrian war threatened in 1840. Thinks the Russian fleet sent to the Baltic the worst fleet ever sent to sea by Great Britain since our naval history commenced. The men were entirely new, but few seamen amongst them, and the ships were in a much less fit state to go into action than the British fleet ever was before. They were totally unfurnished with mortar vessels and gunboats, or with any of those appliances which a Baltic fleet should have. Attributes the defective state of the navy, &c., to the frequent political changes at the Admiralty. Thinks the Junior Lords have too little to do, the Senior Lord too much. Thinks the arrangement of a Board should rest entirely in the discretion of a first Lord. Nobody would accept the situation of First Lord of the Admiralty, and at the same time have fixed upon him a set of men he disapproved."

The next witness was Sir Maurice Berkeley, now Lord Fitzhardinge, who had been eighteen years a naval Lord—

> "He was in favour of a Board, although he had not always been able to carry out his views, and had, on one occasion, resigned his seat at the Board in consequence. Formerly wrote a private letter to Lord Auckland, complaining, as a member of the Board, that he had no responsibility and nothing to do. The members of the Board have now more to do, but the Board does not work so smoothly as when he was on it. Great disad-

vantage results from the constant changes of the First Lord and other members of the Board. Thinks a naval Lord should be substituted for a civil Lord, and that the naval Lord should be in Parliament. Complains of interference of the Secretary with the province of the Lords. Had the whole management of the manning of the navy under his control for many years. Thinks the frequent changes at the Admiralty have a tendency to interfere with the proper manning of the fleet."

The third naval Lord examined was Admiral Sir George Seymour, who was a naval Lord under Lord Haddington—

"He approves of the whole system of the Board of Admiralty, but considers that the Board should be more administrative and less executive. A First Lord who is a civilian must have professional advisers. It would be an advantage if the Board were appointed for five years, and did not change with the Government. There should be another Lord, who should be Comptroller of the Navy, and have power over the dockyards. Too much work is thrown on the naval First Lord. A high engineer officer should also be added to the Board, who should take the department of works and consider inventions. Another naval Lord should entirely devote himself to manning and reserves. It would relieve the Admiralty, if more latitude were allowed to port admirals. Is of opinion that the First Lord has too much power, and that the professional element at the Board requires strengthening. Lord Haddington did not exercise supremacy. He submitted to the opinion of Sir G. Cockburn on all professional questions. All professional questions should be decided by a majority of votes."

The House will observe that the tendency of all the evidence of the naval Lords is in favour of vesting more power in the naval authorities, and is entirely opposed to the supremacy of the First Lord, which all the First Lords insisted on as essential to the well-working of the existing system. Here, then, is another argument in favour of my Motion. If the views of the First Lords are not only in conflict with each other, but also in conflict with the opinions of the naval Lords, it is quite clear that the duty of the Government becomes imperative to review a system which is open to so many and grave objections.

I now come, Sir, to consider the evidence of another class of witnesses, the independent naval officers who were examined by the Committee. The five witnesses thus examined were, unquestionably, the highest officers in the profession unconnected with the Board. The first witness was the distinguished naval officer, Admiral Sir Thomas Cochrane, Commander in Chief, at Portsmouth—

"He deprecates the whole system of the Admiralty. The constant changes at the Board constitute a crying evil. Nothing can be worse than the existing system. When a man has acquired any knowledge, he is turned out of office. Complains of the whole system of patronage as grossly unjust. Complains of the system of nomination for naval cadetships. The whole system is one of favour, and the annoyance is that boys are introduced into the navy who have to be educated at the public charge."

In his evidence, Sir Thomas said—

"There are cramming masters at Portsmouth and other places, where they go and learn just sufficient to enable them to pass, and then you send them on board ship after they have passed. At the age of fourteen, I know by experience that a boy ought to have navigation entirely at his fingers' ends. In the last frigate that I commanded, they sent to me from college four of the finest boys that ever came out of that college. I had them on board my ship, and I put them in my cabin to work a common day's work, and to work a double altitude, and a lunar, and so on, and not one could do it unless they had Dr. Inman's book before them to study from. I had, at the same time, a boy of the age of fourteen, from the Bluecoat School, and that boy had everything at his fingers' ends, and I had to put these four boys under him to be instructed."

Sir Thomas complained also of the interference of the Admiralty in petty matters. In answer to Question 1818, "If an officer wanted a week's leave, there was a correspondence with the Admiralty, was there not?" He said—

"Yes; and if there were half-a-dozen officers wanted leave, half-a-dozen letters would have to be written; and I think the Admiralty gave themselves trouble which might have been avoided."

Sir Thomas Cochrane objected in conclusion to the political character of the administration of the navy. The next witness was Captain (now Rear Admiral) the Hon. Joseph Denman, C.B., who commanded the Queen's yacht from 1853 to 1861—

"Strongly objects to the constitution of the Admiralty. The head of departments should be permanent. Believes it is absolutely impossible, under the present system, for any gentlemen, however great their abilities, to administer the affairs of the navy so as to gain the confidence of Parliament and the country. The officers of the navy do not regard the growing power of the principles of administration with respect. There is a very great absence of confidence in the system. They do not feel that in cases of difficulty they will be fairly and liberally treated. Officers who have promises from one Board are commonly told that a new Board does not recognise any promise of a previous Board. Very often an officer does not know what orders to obey. He is often greatly confused by the multiplicity of the circulars."

Admiral Elliot and Vice Admiral Sir Michael Seymour gave corresponding evidence. The latter was a cautious witness. He said that he knew nothing of the interior working of the Admiralty. He had heard and read much of its sins, and he thought the First Lord ought to be made wholly and solely responsible. Captain Sullivan, however, one of the most practical and efficient men in our navy, fiercely condemned the whole existing system—

> "He complains that the service suffers greatly from the present constitution of the Admiralty. The whole system of promotion is one of favouritism; the Board itself composed of men brought in from family and political connection. Very strong feeling in the navy upon this great abuse. The same names that have ruled for thirty or forty years continue to rule to this day. The higher appointments and the promotions made on the same grounds. Improved measures urgently needed for manning. Our best seamen resort to the American and other services. Our Baltic fleet would have been utterly ruined in consequence of bad manning had it been opposed to the Russian and French combined fleets."

Such then, Sir, is the evidence of the best officers of our navy who have never been connected with its departmental administration. I submit to the House that it shows a general opinion that the existing system cannot and ought not to be maintained. When the House considers that in thirty years, from 1829 to 1859, there have been no less than seventeen changes in the office of First Lord, the average tenure of a First Lord's office having been one year ten months and two weeks, and that in the same period there have been no less than 103 other changes of Lords and Secretaries, I am sure it cannot doubt for a moment that the existing system needs revision. During the last eight years, there have been no less than four general changes of the Board, five changes of First Lords, and thirty-four changes generally. Can any system work which involves such rapid alterations, not only of individuals but of principles and policy?

Sir, in April 1861, a Commission which had been appointed by the Government to inquire into the working of our dockyards made a most important Report, containing a variety of recommendations. The Report was referred to the Committee, whose evidence I have analysed, and up to this hour no step whatever has been taken on it. I wish the Government to consider if our naval yards are to remain in their present position. For the last fourteen or fifteen years the firm with which I am connected have been engaged in transactions amounting to £49,000,000 sterling. I may therefore be supposed to know something about the organization of large establishments. Well, Sir, I have visited all the dockyards of this country, and I declare that I think I should find it impossible to conceive anything worse. Upon this point, however, I am able to cite the opinion of one whose judgment will carry more weight than my own. I quote the following from the evidence of Sir James Graham:—

> "I think, in the War Department at Woolwich, there are very large establishments, very much o the same kind as the vast establishments of th dockyards; did you not find that to be the case?—They are becoming frightfully large, both in the military and naval yards, and I regard them with the greatest fear and jealousy.
>
> There are immense manufacturing establishments now growing up in both Departments?—Immense. When I look at the Army Estimates, I find they have 12,000 labourers on day pay. Then also as to the navy; if this large manufacturing principle is to be extended, and labourers on day pay, almost without stint, are to be employed, a system of account, accurate as any manufacturer's account, or any shipowner's account, is becoming indispensable, for the public will never be able to check that expense unless they have the means of contrasting the public outlay with the outlay in private establishments, by accounts kept clearly and on the most accurate principles. And now, with respect to the Royal Navy; if these manufacturing establishments are to be maintained, the time has arrived when, at any cost, these accurate accounts must be provided."

Now, I only ask hon. Members to contrast for a moment the administration of our naval affairs with that of the French Government. The present Emperor, when he was elected President of the republic, lost no time in appointing a Commission of Inquiry into the condition of his navy. He put the matter into the hands of the ablest men in France, who drew up a programme both as to the constitution of dockyards, the completion of the works at Cherbourg, and the number of vessels of which the fleet should consist. That programme has never been departed from. After the experiment of the floating batteries before Kinburn, the French Government saw that the whole history of naval warfare was changed. What was the course they pursued? They built one iron-cased ship, they tried it; and when they found it answer, they ordered others of the same kind. After Lord Derby's Government, however, ordered the *Warrior* and the *Black Prince*, the present Government ordered ten or twelve new ones to see which was the best. The French iron-cased vessels could all sail together. Not so our fleet. When the *Resistance* and the *Defiance* were laid down, I ventured to point out that they would not be able to sail within three or four knots an hour of the *Warrior* and the *Black Prince*. The noble Lord (Lord C. Paget) told me with the greatest possible politeness that I knew nothing about it; but the result has turned out pretty much as I predicted. The new ships cannot sail so fast as the *Warrior* by two or three knots, and their carrying capacity is only two or three days. Lord Derby passed the greatest of all censures upon the Admiralty. He had actually appointed a sort of new Board—a Committee of the Treasury—to inquire into the condition of the navy. That Committee reported—

> "France will also have four iron-sided ships, with engines of 800 or 900 horse-power. It is stated that these iron-sided ships, of which two are more than half completed, will be substituted for line-of-battle ships. Their timbers are of the scantling of a three-decker. They are to have 36 heavy guns, most of them rifled 50-pounders, which will throw an 80 lb. hollow percussion shot. They will be cased with iron; and so convinced do naval men seem to be in France of the irresistible qualities of these ships, that they are of opinion that no more ships of the line will be laid down, and that in ten years that class of vessels will have become obsolete."

Nevertheless, despite this Report, the Government immediately ordered ten first-class ships of wood, at a cost of no less than three millions sterling. Such a system of naval administration surely is not calculated to inspire public confidence. It is rather calculated to call forth public execration. Sir, the whole evidence taken before this Committee shows that there is no science whatever at the Board of Admiralty. Sir Baldwin Walker, when he was appointed Comptroller of the Navy, admitted that he had no knowledge of the construction of ships; and Rear Admiral Robinson, the present Comptroller, has, I believe, no real control. There is a strong feeling prevailing that the scientific element is needed at the Board: that the Admiralty ought not to be constituted, as it now is, for political objects and objects of patronage, but that, at a time when our fleet must undergo entire reconstruction in order to meet the advance of science, the Board ought not to be without men possessed of practical scientific information—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, July 30, 1862.

MINUTES.]—PUBLIC BILLS.—2° Confirmation of Sales, &c.; Gardens in Towns Protection.

MERSEY, IRWELL, &c. PROTECTION BILL.

CONSIDERATION. THIRD READING.

MR. C. FORSTER said, he had to move that, in the case of the Mersey, Irwell, &c. Protection Bill, Standing Orders 72, 174, 181, 182, 190, 210, and 214, be suspended, and that the Bill, as amended in the Committee, be considered and read the third time that day.

MR. BROWN-WESTHEAD objected that the effect of the proposed suspension would be to prevent parties who had Amendments to propose to the Bill from doing so. The Bill affected public interests, and ought not to be passed through without giving to its opponents an opportunity of expressing their views. The Bill passed the House of Lords on the 26th of May, and that it had been delayed since that time was the fault of the promoters. The Bill was a very important one, and the Standing Orders ought not lightly to be set aside.

MR. MASSEY observed that the Bill as it now came before them was improved, and he did not think it would be an undue interference with the rules and practices of the House to suspend the Standing Orders at that period of the Session, as proposed. Certainly, if they were not so suspended, the Bill could scarcely pass through that Session.

MR. COBBETT said, he thought that Standing Orders, like rules of court, ought not to be departed from. He understood that some parties wished to propose Amendments in the Bill, which they had had no possible opportunity of proposing hitherto. Those Amendments were directed against clauses lately introduced, which injuriously affected some interests not previously affected. But what the Motion proposed to do, was to violate the rules of the House in favour of the promoters of the Bill, who, having been unduly dilatory, wished to prevent other parties from protecting themselves from recent attacks on their interests. The Amendments were on the paper for the following day; and no inconvenience could arise from their being then considered.

MR. DEEDES said, he would remind the House that a power was delegated to the Standing Orders Committee of deciding in what cases the Standing Orders ought to be dispensed with; and, if so, surely it was competent for the House itself to exercise such a power. In his view, the present was a case calling for exceptional treatment, the grounds being sufficient, and having arisen from no fault of the promoters.

MR. WHALLEY said, he believed that the practice of suspending the Standing Orders at the end of the Sessions had in several cases been the cause of inflicting injustice upon private parties. It was the more important that the Standing Orders should not be suspended in the present instance, seeing that the parties who sought to be protected had been excluded by the Standing Orders from bringing forward their case in the Committee of either House.

Motion made, and Question put, "That, in the case of the Mersey, Irwell, &c. Protection Bill, Standing Orders 72, 174, 181, 182, 190, 210, and 214, be suspended."

The House *divided:*—Ayes 59; Noes 33: Majority 26.

CAPTAIN GRAY said, he considered that time ought to be given for the parties whose interests were affected to be heard. The Bill interfered with the rights of his constituents. If it were a general Bill, they would not so much object; but as it stood, those on one side of the stream were affected, while it did not touch those upon the other side. If it were competent for him to move that the Bill be recommitted, he would do so.

MR. COBBETT said, he wished to propose the insertion of a clause prohibiting, in effect, the Mersey and Irwell Navigation Company, who were the promoters of the Bill, and whose duty it was to keep the stream clear, from redepositing in the river Irwell any refuse which they might remove from the part of the river subject to their jurisdiction, to the damage of the waters below. The Bill gave powers to the company to prevent the deposit in the river of ashes, cinder, and refuse of all kinds, by the millowners along its banks; and the clause which he desired to insert would prohibit the company from throwing back into one part of the river refuse which had been removed by dredging from another.

MR. A. F. EGERTON complained that the clause, if necessary, had not been proposed in Committee. He explained that the practice was to dredge the shoals, and with the material thus obtained fill up the chasms in the bed, and thus improve the navigation. The company were most anxious to keep the navigation clear, and did all in their power for that purpose. The clause proposed would, in the opinion of Sir J. McNeill, Mr. Power, and other engineers, seriously impede the Commissioners in their efforts; and he trusted the House would not interfere by passing the proposed Amendment.

MR. GEORGE said, that as a member of the Committee on the Bill, he wished to state that the question had been brought to the attention of the Committee, and a practice was proved to exist on the part of the Commissioners of the Mersey and Irwell Navigation of dredging and casting the refuse in other parts of the stream; and it was his opinion, as well as that of some of the other members of the Committee, that when the Commissioners came for very stringent powers as against others, they should set an example of not casting refuse into the river themselves. And in passing the fourth clause as it stood it was not intended that the Navigation Commissioners should have the power to cast sand, gravel, ashes, or other refuse into the river wherever they chose.

MR. MASSEY said, he thought, after the explanation which had been given by the hon. and learned Member for Wexford (Mr. George), it would not be safe to interfere with the decision of a Private Bill Committee.

MR. COBBETT said, he understood the explanation of the hon. and learned Member for Wexford was in favour of the object of his (Mr. Cobbett's) clause, which proposed to carry out what appeared to be the intention of the Committee.

Clause *agreed to.*

MR. COBBETT said, he would then propose a clause depriving the magistrates of jurisdiction when the party proceeded against made a *bonâ fide* claim to the right to do the act complained of, but without prejudice to the other remedies available by the Navigation Company. He contended that such a clause was necessary, the powers given by the Bill being enormous, summary, highly penal, and extending over a vast district. Every person residing on the banks of the streams would be entirely at the mercy of the Company, and the fines to which he would be liable, if he threw rubbish into the river, were £5 for the first offence, £10 for the second, and £20 for the third.

Mr. MASSEY said, if the clause passed, the whole Bill would become a dead letter. It would enable any party brought before the magistrates to elect that he should not be convicted, and that without requiring him to enter into any engagement to try the question in a superior court.

Mr. GEORGE said, he also agreed that the clause would render the Bill entirely inoperative.

Clause (Jurisdiction of Magistrates) *brought up*, and read 1°.

Motion made, and Question put, "That the Clause be now read a second time."

The House *divided*:—Ayes 37; Noes 81: Majority 44.

Mr. COBBETT said, he would move the addition of another clause, providing that the Bill should not interfere with owners on the banks of the rivers exercising the rights or privileges which they possessed as between each other. He wished to enable them to make private arrangements with each other in regard to these matters, irrespective of the Company.

Mr. GEORGE said, he saw no reason for the introduction of the clause. The Bill did not interfere with the rights of riparian owners on matters apart from the navigation.

Clause (Reservation of Rights of Riparian Owners) *brought up*, and read 1°.

Motion made, and Question, "That the Clause be now read a second time," put, and *negatived*.

Mr. COBBETT said, that as the Bill had been originally brought forward in the House of Lords, it would have included all the tributaries of the Mersey and of the Irwell, and would extend altogether over 650 miles of stream. But the House of Lords had confined its operation to those two rivers, so that it would include only 300 miles of stream. In the Committee of the House of Commons, on the other hand, it was made to embrace 500 miles of stream. He thought that in its present shape it was an unfair and a partial measure, and he proposed to restore it to its original condition as it had been introduced into the House of Lords. For that purpose he moved the omission from the third clause of the words "above the junction of the said rivers."

Amendment proposed, in page 3, Clause 3, to leave out the words "above the junction of the said Rivers."

Mr. GEORGE said, the Weaver had been expunged from the Bill, because it was a separate navigation under an independent trust, and because there were very few mills upon it. All the evidence before the Select Committee, which sat for nine days, went to show that the objectionable deposits were made, for the most part, between the bridge at Manchester and the junction of the Mersey and Irwell.

Mr. POTTER remarked, that as a mill-owner on the banks of one of the streams, he would not have said a word against the Bill, but would rather have supported it, if it had been a general one and applied to the whole rivers of the country. He did, however, object to certain parties in that particular district being exempted from the provisions of the Bill, although guilty of the same practice as their neighbours.

Mr. W. EGERTON said, he should oppose the Amendment.

Mr. J. B. SMITH said, his constituents were unanimously in favour of the Bill.

Mr. BROWN-WESTHEAD said, the manufacturers did not object to being put to some inconvenience and expense for the public good, but they complained of being sacrificed while noble Lords and others who did precisely the same thing were allowed to escape. The Bill was unfair and partial, and it had been properly described by the Lord Chancellor as a discreditable piece of legislation.

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 77; Noes 55: Majority 22.

Mr. COBBETT said, he would then propose to strike out words in Clause 4, words the omission of which would give to landholders on the banks power to return into the streams sand, gravel, &c., deposited by such streams during floods.

Amendment *agreed to.*

Mr. COBBETT said, he would further move an Amendment, to extend the time when the Act was to come into operation from the 5th of April, 1863, to the same day in 1865. As a vast number of the mills had very little ground attached to them, a considerable time must necessarily elapse before the owners could adopt other means for getting rid of the cinders and other refuse than throwing them into the river.

Amendment proposed, in page 6, Clause 13, to leave out the words "sixty-three," in order to insert the words "sixty-five," —instead thereof.

Mr. MASSEY said, he must object to the alteration. He thought there would be no difficulty in making arrangements for carting away the materials, and he saw no sufficient reason for extending the time for so long a period.

Question, "That the words 'sixty-three' stand part of the Bill," put, and *agreed to.*

(Queen's *Consent* signified) Bill read 3°.

On Question, "That the Bill as amended do pass,"

Mr. COBBETT said, he would take that occasion to renew his protest against the measure, and his complaint of the way in which it had been promoted. It was no doubt important that the Irwell and Mersey should be kept navigable, but such enormous powers ought not to be conferred on what was almost a private body for that purpose, without giving all the parties interested an ample opportunity of being heard. He objected to measures being introduced in this character, by which they neither received the treatment of public nor of private Bills, and he should therefore take the sense of the House on the Motion now before them.

Sir JOHN SHELLEY said, he also objected to the class of measures known as Hybrid Bills, and would express a hope that some alteration would be made in the practice of Parliament in regard to them.

Mr. SPEAKER explained that the Bill before the House was strictly a private Bill.

Motion made, and Question put, "That the Bill, with the Amendments, do pass."

The House *divided*:—Ayes 83; Noes 35: Majority 48.

VENTILATION IN GOVERNMENT SCHOOLS.—QUESTION.

Mr. JONES said, he would beg to ask the Vice President of the Council of Education, Whether any and what steps have been taken to remedy the defective state of the Ventilation in the Government Schools, adverted to in the late Report of the Sanitary Comissioners; and whether the attention of the right hon. Gentleman has been called to the system of Mr. Cooke, the Engineer, of Spring Gardens, which has been applied to several public buildings, and among others the Colonnade Institution, Clare Market?

Mr. LOWE said, the Government took the greatest possible pains with respect to the ventilation of the Schools which they assisted in building, and they had no reason to believe that it was in a defective state. As to Mr. Cooke's process, he was not aware that it had been applied to the Colonnade Institution, Clare Market, but, of course, the Government were always open to any suggestions for effecting improvements.

UNION RELIEF AID BILL—[Bill No. 240.]

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now taken into Consideration."

Colonel WILSON PATTEN said, he had to present a Petition from the guardians of the Union of Chorley, in Lancashire, stating that they had seen the Union Relief Aid Bill as amended by the Government, and thought it would not afford the remedy they required, and praying that they might be allowed a power of borrowing upon the security of the rates for the relief of their poor during the present distress.

Mr. PULLER said, he rose to move that the Bill be recommitted for the purpose of considering clauses to enable the guardians of unions to borrow money on the security of rates of parishes within such unions. He felt that an apology was due from a Member like himself, unconnected with the manufacturing districts, for bringing forward such a Motion. But the question was one deeply affecting the prosperity of the whole country, and he thought it the duty of every Member of that House to endeavour to the best of his ability to aid in its right solution. He had no desire to impugn the provisions of the measure introduced by the President of the Poor Law Board; but when the Bill was last in Committee a strong feeling seemed to be entertained by a considerable number of Members, and especially by hon. Gentlemen who might be presumed to know both the state of the manufacturing districts and their wishes in the matter, that the propriety of enabling the parishes to obtain relief by means of loan should be fairly submitted to the judgment of the House. The right hon. Gentleman the President of the Poor Law Board had candidly admitted that there were strong arguments for as well as against that proposal; and although, on a balance of those arguments, the right hon. Gentleman had avowed himself averse to granting a borrowing power, yet looking to the increasing anxiety which was likely to weigh upon him during the coming autumn, it was hardly to be supposed that he could very seriously object to being armed with the additional means of meeting the crisis which the present Motion contemplated. Now, since the passing of the Poor Law Act, the functions formerly combined in the hands of the overseers of parishes had been divided between the overseers and the guardians of the union. The overseer collected the rates from the ratepayers, and the guardians spent the money so raised upon the relief of the poor. At the beginning of each quarter the board of guardians made an estimate of its probable expenditure within such quarter, and issued a warrant to the overseers, stating the proportion of the whole sum required from their particular parishes, and the overseers then were bound to levy rates sufficient to meet the demand thus made upon them. If from unforeseen circumstances the guardians found that more money than had been estimated was actually wanted they issued a supplemental order, calling upon the overseers for further sums, or if through distress existing among a portion of the ratepayers the rates were not paid in full, the overseers were obliged to place additional rates upon those who could pay. There were two tests by which the distress of any particular parish might be measured. If it was desired to compare its destitution at one period with its destitution at another, the actual expenditure incurred by the guardians in the relief of its poor was a very fair criterion to take for that purpose. Another test was the amount of the rates levied and collected by the overseer. Under ordinary circumstances those two tests would be expressed by the same figures. Take, for example, a parish with an annual rateable value of £10,000, and an expenditure of £2,000. That would be an expenditure of 4*s.* in the pound on the rateable value, and in ordinary times would be exactly met by a rate of 4*s.* in the pound. But under such special circumstances as those with which the House had to deal, where a large portion of the ratepayers were unable to contribute the actual expenditure, and the amount of the rates could no longer be expressed by the same figures, for the deficiency caused by the inability of the distressed portion of the ratepayers to pay must be made up by those who were still solvent. If half the ratepayers only were in that condition, it would require a rate of 2*s.* in the pound to defray an expenditure of 1*s.* upon the whole assessments. Now, the Bill before the House took the expenditure of the guardians as the measure of the distress, and its object being to enable the parish to apply to its neighbours for help, it was quite reasonable that there should be one fair and uniform limit which must be overpassed before the impoverished parish could claim extraneous assistance. If the limit were based on the amount of the rates collected, it was easily seen, that when an application was made to neighbouring parishes, they might and probably would have said, "Oh, it is very easy for the overseer of parish A to say he cannot collect the rates; it is a troublesome and disagreeable thing to collect them under circumstances of distress, but we are not satisfied with the statement that this is so;" and thus a wide door would be opened for jealousy and dissatisfaction, which was entirely avoided by his right hon. Friend having taken as the limit the amount of the expenditure, about which there could be no doubt. But, at the same time, they must consider whether the Bill would meet the whole of the difficulty with which they had to deal. The necessity for relieving the distress of the poor was acknowledged and felt by all, but they should also consider the distress of the ratepayers. The limit of expenditure laid down by the Bill was 5*s.* in the pound, and therefore if one-third of the ratepayers in a parish were unable to pay their rates, a rate of 7*s.* 6*d.* in the pound must be levied on the two-thirds of the ratepayers who were able to pay. Further, if, as the President of the Poor Law Board admitted, 50 per cent in value of the ratepayers of Stockport were unable to pay, 10*s.* in the pound must be raised from the remainder who could pay, before they could come upon their neighbours for help. But that was not all. To the 5*s.* spent for the relief of the poor must be added the county rate, highway rate, burial rate, and other local rates. The hon. Member for Stockport had told the House, that if the solvent ratepayers of that place were to have no aid given them except under the conditions of the Bill, they would have to raise as much as 18*s.* in the pound on the value of their assessable property before they would be entitled to relief. That calculation rested on the assumption that only 40 per cent were able to pay; but taking the solvent ratepayers at 50 per cent, they must raise 14*s.* in the pound before they could derive any advantage from the Bill. And all that must be paid by men whose incomes had been reduced to one-half or one-third of their usual amount. Now, he did not object to the Bill as far as it went, because it followed the old principle of the rate in aid. The application of that principle as far as the entire union was concerned would be accompanied by a check upon abuse and maladministration, although its application to the rest of the county would not be attended with that safeguard. But he thought it incumbent on the House to provide some additional remedies. He would therefore suggest that the board of guardians, upon the application of the overseers, and with the consent of the Poor Law Board, should have a power to borrow to the extent of 5*s.* in the pound on the assessment of the parish upon the security of its rates — that power to be exercised upon this condition, that the overseers should have already levied to the best of their ability rates to the amount of 5*s.* in the pound, and paid the proceeds over to the treasurer of the union, in satisfaction, as far as they would go, of the claims of the board of guardians upon the parish. He would further suggest that the repayment of the loans so raised should be spread over a period of five years and be discharged by yearly instalments. He made that proposal in the belief that the pressure, though very severe, would be but temporary, and that at the end of two years, if not one year, these parishes would recover themselves. The Secretary of the Poor Law Board had objected to a loan, because he regarded the distress as but transient, and said there was no precedent for borrowing money to pay for the daily relief of the poor. But he must remind the House that the Irish famine was met by a loan of £10,000,000, to be repaid in subsequent years, out of the revenues of the Irish land. It was true that that loan was afterwards remitted and converted into a gift, but that remission was accompanied by the extension of the income tax to Ireland, and was conceded with the idea that it would make that impost less unpalatable. There could hardly be any better security than the rates of a parish; and although it might be necessary to defer the repayment of the first year's instalment, should the distress unhappily continue, he trusted the occasion for that step would never arise. The hon. Member for Stockport, on the other hand, had opposed a loan, because the distress was likely to be comparatively permanent. If he himself shared that apprehension, he should hesitate to saddle the property of the parish with repayments which it would be unable to meet for a considerable time. But, without speculating on the probable duration of the war in America, he looked to obtaining from India a large share of the cotton existing there, and to the enhanced price of that article stimulating its increased production not only in India, but in China, Australia, South Africa, and other countries. And even assuming that they should not for some years to come get back their former supplies from the United States, was it supposed that the thousands of the unemployed operatives who were now compelled to go to the relieving officer for food would continue to eat the bread of idleness? If they could not get cotton, people would still have to be clothed; there would be increased activity in the woollen and linen manufactories; and a large number of these distressed artisans would find other employment. He therefore trusted that the House would not, for merely speculative and imaginary reasons, condemn thousands of struggling ratepayers in the distressed districts who were on the verge of insolvency, to pay exaggerated rates for the relief of persons who were only a little poorer than they were themselves.

Amendment proposed,

To leave out from the word "Bill" to the end of the Question, in order to add the words "be re-committed for the purpose of considering Clauses to enable the guardians of unions to borrow money on the security of rates of parishes within such unions,"

—instead thereof.

Mr. HIBBERT said, he was anxious that the Bill should be made as acceptable as possible to the parties who would be relieved by it. As it was drawn it was, he thought, open to much objection. It did away to a great extent with the motives for economy, and would fail to give the instant relief which the people of Lancashire and Cheshire required, while it imposed a great and onerous burden on those who would have to pay the rate. Lancashire contained 28 unions, with a total of 454 townships. In that county there were at present two unions which were really distressed—namely, Blackburn and Preston, the former occupying 24 townships and the latter 28. The indoor pauperism had increased at Blackburn 356 per cent above what it was at Midsummer of last year; and at Preston the increase was nearly the same. The outdoor relief had risen 399 per cent at Blackburn and 474 at Preston. Then there followed the semi-distressed unions, 14 in number, which were principally engaged in the cotton trade. The remaining 12 unions were agricultural unions. If the Bill passed in its present shape, it would bear harshly upon the 14 semi-distressed unions. The rates in those unions, although not yet particularly high, were rapidly increasing in amount, and the effect of the Bill would be to reduce those unions to one common level of distress. They would be called upon not only to contribute to relieve their own distressed operatives, but they would also be called upon to contribute to the relief of the other distressed unions which might come under the operation of the third clause. He found that before Oldham would be brought under the operation of the Bill, and before it could get aid from the county, it would have to pay a sum of £8,498, in order to bring its present rate up to 5*s.* in the pound. Bolton would have to pay a sum of £13,799, or a rate of 3*s.* 6*d.* in the pound; Chorley, £20,000; Wigan, £8,586; and Stockport, £7,761. Before Stockport would be entitled to receive aid from the county, it must be rated five times above the average of previous years. The boards of guardians of Blackburn, Rochdale, Oldham, Stockport, Wigan, and Chorley, had all sent memorials to the right hon. Gentleman against the Bill as it stood, and he thought the proper course to adopt was to allow parishes, when their rates had risen to 3*s.* in the pound, to raise money upon security of the future rates. He objected to the Bill that it undermined the principles of local government and of economy, and at the proper time he would propose such Amendments as he thought would be necessary to meet adequately the present exigency.

Mr. C. P. VILLIERS observed, that the questions raised by the hon. Member for Hertfordshire (Mr. Puller) were substantially the same that the House had considered upon previous occasions—namely, whether the means for relieving the extraordinary distress prevalent in certain districts could best be furnished by a contribution in aid from the neighbouring districts or by a power of borrowing upon the security of the rates. He confessed he could offer no new argument upon the subject; but he did not think that it was necessary to raise the question of borrowing money upon the rates in order to cure the defect alleged to exist in the Bill. The hon. Member for Hertfordshire had said that the Bill took expenditure as the test of distress, but that was no test of what burden particular ratepayers had to bear, as through the insolvency of a portion of the ratepaying body the remainder would have to make up the deficiency. It was true that might sometimes occur, and all estimates of rates were made upon a supposition that a certain portion would not be collected; but the hon. Member was not justified in assuming, in the most extreme case that might occur, that 50 per cent of the ratepayers would be unable to pay. It also frequently happened, that when persons pleaded inability to pay rates, they meant that they could not pay both rent and rates, and very often the landlords, to avoid losing their tenants, continued to arrange for the payment of the rates. But, even supposing that the case which the hon. Member had described should arise, and that some of the wealthier persons in the distressed unions should have to pay more than 5*s.* in the pound, he could not regard that as anything very oppressive under the present exceptional circumstances. The expenditure at the rate of 5*s.* in the pound was to be taken for the quarter—that was, a 1*s.* 3*d.* rate. Then as to the relative merits of a power of borrowing money upon the rates, as compared with a rate in aid to be levied upon the other unions. The hon. Member for Oldham (Mr. Hibbert) wished to give power to overseers of a parish, when the pressure of distress was felt, to apply for loans. The guardians would doubtless give their consent to such an amendment, because, mostly representing the other parishes of the union, they could have no objection to allow a particular parish to burden itself with future liablities for present distress. But there was one point to be considered. If a parish were permitted to encumber itself with a load of debt, and was to be charged, in addition to current rates, with interest upon past loans and past repayments, the amount would be so heavy as to induce many persons to leave that parish for others in the neighbourhood; thus casting a heavier burden upon those who remained, including the wealthier classes, who were supposed to be injured by the possibility of being called upon to pay more than 5*s.* in the pound. Many of the objections that had been made to the Bill appeared to be directed against it in the light of a permanent measure; but it was not intended to be such, and there would be but two quarters in which the guardians would be required to take steps under the Bill. Some arguments that had been adduced appeared to have been based upon an apprehension that parishes might find difficulties in the way of affording immediate relief to the poor, but that was a mistake. The Bill was intended rather to relieve the ratepayers than to provide instant means of relief for the poor, because there was no necessity for the latter provision. The poor were relieved by the board of guardians, and the relieving officer was the officer of the union, and therefore there never could be any want of means for immediate relief; but when, at the end of the quarter, the board of guardians examined the accounts, if they found that for any particular parish more had been expended than had been contributed, then the parish was found to be in debt, and another rate was made to make up the amount. The Bill provided that when, upon examining the accounts, it should be found that any parish had expended more than 1*s.* 3*d.* in the pound during the quarter, then the excess should be provided for by calling in the aid of other parishes in the union. No one could allege that that was a very heavy burden to impose. So according to the third clause, the guardians would have to ascertain what they had expended during the quarter, and, if the amount exceeded the rate of 1*s.* 3*d.* for the quarter, they would have a right to apply to the Poor Law Board for an order of contribution upon the other unions. As the hon. Member for Oldham had referred to the number of unions that were likely to be distressed, he (Mr. Villiers) thought it might be useful if he were to state what he considered would be the amount of distress that might be expected, and the means of relieving that distress. The cotton manufacture was conducted chiefly in nineteen unions, but in seven of these unions the distress was not likely to be severely felt. In the remaining twelve unions there were 136,644 operatives above twenty years of age, and 91,086 under twenty years of age, making together a total of 227,730 operatives. The number of wives, infants, and others dependent upon these operatives was estimated at 136,644, making a gross total of 364,374 human beings in those districts dependent upon employment in the cotton trade. The total population of the twelve distressed unions was 1,106,839. The proportion of 30 per cent of that population was 332,040 persons, who might be expected possibly to come upon the rates for support if the worst should come. At the present rate of expenditure the cost of supporting those persons would be £864,304 a year. A rate of 6*s.* in the pound upon £2,629,176, the rateable value of the property comprised in the twelve unions, according to the estimate of 1856, would produce £788,752. In order to make up the amount of £864,000, an additional sum of £75,000 would be required from the other unions of the county of Lancaster. The rateable value of the property in that county, according to the estimate of 1856, since which time the value must have greatly increased, was £7,298,544, and a rate of 2½*d.* in the pound upon that amount would produce £75,552.

MR. COBDEN: Is the amount of £864,000 to support 332,000 persons for a year?

Mr. C. P. VILLIERS: That is the calculation.

Mr. COBDEN: Why, it is but £2 10*s.* a year, or a shilling a week, for each individual.

Mr. C. P. VILLIERS said, the calculation was based upon the average cost of relief given to each person now. He had stated those figures in order to show that there were sufficient means within the county of Lancashire to support the poor even in the worst case, and all that was necessary to do was not to allow the burden to become intolerable upon particular districts, but to spread it over a larger area. That was the object of the Bill, which distributed the burden over the whole county. The hon. Member for Rochdale (Mr. Cobden) appeared to think the estimate for relief was too low, but the calculation was confined to the relief given from the rates. There were other sources of relief; large subscriptions had already been made for the relief of the distress, and he believed that those subscriptions were but beginning. He also believed that all the operatives would not come upon the rates, as some would find occupation in other branches of employment, and some would possess private means. He had been struck with one remark that had fallen from the hon. Member for Herts (Mr. Puller) in reference to the means of employment that might be expected from India, the high price of cotton having had the usual effect of attracting large supplies. He had been considering the question in its worst aspect, and he had reason to fear that the dearth of cotton would be more felt than it was at that moment, but he believed that the worst time would be over in October, as between 300,000 and 400,000 bales of cotton might be expected from India by the end of that month. It was not to be expected that Parliament should do more than was now proposed, and he thought the Government were not to be blamed for not having brought the subject earlier before the House, as it was only within the last three weeks that circumstances had sprung up which had caused a great aggravation of the distress. The export of cotton from this country had proceeded so rapidly, and prices had risen so much, that both circumstances continuing, there was every prospect that other mills would be soon closed; and therefore, to prevent undue alarm, he had stated what would be the case if all the operatives of those districts should be thrown out of employment. The only difference was as to the mode in which the excessive expenditure of the parishes should be met; and when the House had expressed its opinion upon that point, the Government would be quite prepared to submit to its decision.

General LINDSAY said, it appeared to him that the right hon. Gentleman (Mr. C. P. Villiers) had very much under-estimated the number of those who might require relief, and also the amount required to relieve them. He (Mr. C. P. Villiers) had said that the number to be relieved would be 332,040 persons, for whom £864,304 would be required. Well, that was just 1*s.* apiece per week to each person. The object of those who were engaged in relieving the poor in Lancashire had been to prevent them from feeling that they were paupers in receipt of 1*s.* a week. In discussing the measure it was desirable that each hon. Member should consider what would be its effect in his own locality. Taking Wigan then, the relief being administered by the guardians in that district (both in and out door) amounted to £3,816; while that administered by the relief fund was £6,693 weekly, making a total weekly relief of over £10,000. The actual amount of rating at present was 8*s.* in the pound; and although that did not yet extend to the sum of 5*s.* in the pound for the whole year, it soon would, unless the distress was checked. What he complained of, therefore, was, that as soon as the Bill passed, the districts of Preston and Blackburn would come to the right hon. Gentleman, and he would make an order calling upon the people of Wigan, who by enormous exertions had kept their own people off the rates, to assist them in relieving the distress of those two other districts. They were not likely to have the rates raised to 5*s.* in the pound in Wigan at once, on account of a large portion of the district being of an agricultural character, but they might depend upon it that people would complain if, after having made strenuous exertions to meet the distress in their own districts, and succeeded, they were, in consequence of the success of those exertions, called upon to contribute to other districts. He would also remind the House that the poor rates were not all, but that the people of Wigan were saddled with a multitude of rates to pay for improvements and other things, so that probably the aggregate of the rates came to something like 18*s.* in the pound. For those reasons he certainly thought that the distressed parishes ought to be permitted to borrow at least a portion of the money required to relieve the existing and the probably increased future distress.

MR. CRAWFORD said, that he had in his possession some information respecting cotton, which might be of interest to the House. The exact amount of cotton coming from India, and on the water according to accounts to the 8th of June, was 405,751 bales. Last year, at the same time, there were 345,394 bales; so that about 60,000 more bales were coming at present for England than last year at the same period. From the accounts he had from India, he thought he was safe in saying that there was yet a larger quantity remaining to be sent from that country than there was last year. There was more at Madras, and more at the shipping ports of South India, which supplied cotton of good quality; and at Bombay there was a large quantity stored at the commencement of the rainy season. He believed, indeed, that there would remain to be shipped about 150,000 more bales before the fair season, and after that period they would receive further supplies. There was, no doubt, a large quantity of cotton in India, and the enormously high prices which prevailed would have the effect of drawing to the ports all that could be collected, for those prices would be so high as to withdraw cotton from local consumption. His information showed that there would not be an absolute dearth of cotton here, but that we might rely on receiving a quantity coming far short indeed of what was required, but enough, perhaps, to prevent persons who might have intended to close their mills from doing so absolutely.

COLONEL WILSON PATTEN said, that he would not again go over the question as to whether they ought to provide for this relief by way of loan, or by a rate in aid, but he would simply say that since the last discussion on the subject he had been in communication with his constituents, and that morning he had received from almost every quarter of the division which he represented the expression of a wish that the distressed districts should be allowed to relieve themselves by loan rather than by the mode proposed in the Government Bill. He was anxious to correct an error that might be made, if the calculations of the right hon. Gentleman were supposed to be founded on a true basis. In calculating the amount of pauperism which would exist in Lancashire supposing that the whole cotton manufacture was stopped, the right hon. Gentleman (Mr. Villiers) had left out of sight the other classes who would be pauperized when the factory operatives were out of work. The trade of Lancashire was such that one class never suffered without another; and if 350,000 operatives were unemployed, to that number of persons requiring relief must be added a large proportion belonging to other trades and following other employments. At that late period of the day and of the Session hon. Members would probably wish to go at once to a division, nd he would, therefore, only say that it would be quite possible in Committee to adopt the principle both of a rate in aid and of a loan.

MR. COBDEN said, he was somewhat astonished at the apologetic tone in which some hon. Gentlemen had referred to their employing a few hours in the discussion of the question before the House. He was free to confess that until the House understood more fully the situation of Lancashire, and what were the state and wishes of its intelligent population, he thought they would do well to discuss the question for a fortnight longer at least. If one thing more than another convinced him of that, it was the speech just made by the head of the Poor Law department. He had been astounded at the calculations of his right hon. Friend. He was sorry to differ from him, and still more to express dissatisfaction with what he stated; but his facts and arguments were most fallacious. His right hon. Friend had put down the number of people employed in the cotton mills and manufactories of Lancashire and those dependent on them at 332,000. Then he had supposed all these operatives to be thrown out of work, and he assumed that they would entail an annual charge of £864,000 upon the rates. This was a very low estimate. Of course the calculation was that private charity would come in in support of the rates; but the fallacy underlying the calculation was, that he assumed that when all the operatives were out of work the rest of Lancashire would remain in its normal condition. Why, the employment of these operatives was a necessary and essential condition to the very existence of Lancashire as a manufacturing county. They were like the mainspring of a watch—when it was stopped, the rest of the works would stop too. All the shopkeepers and warehousemen were dependent on those millworkers; mercantile operations, mines, railways, canals, and endless branches of industry must be suspended or must suffer depression when the cotton manufacture was at an end. As to the resort to the other unions in the county, which was contemplated by the Bill, how could those unions pay any rate at all if their industry were at an end? The whole argument was so fallacious that he should not have alluded to it at all, if it had not shown how much ignorance prevailed on the subject in high quarters. They talked of spreading the rates over the agricultural districts of Lancashire, as though the proportion in agricultural to manufacturing districts was a large one; but, owing to the extent to which the cotton trade was spread over Lancashire, the proportion was really very small, and his main objection to the principle of the rate in aid was, that in order to get assistance for one manufacturing district, they were compelled to raise money from other manufacturing unions which might not be suffering from quite the same pressure of distress, so that all those unions would thus be rapidly brought up to the same level. The state of the case was this:—The rateable value of the whole county of Lancaster was £7,449,000, out of which £3,185,000 belonged to the distressed districts. It was assumed that all the rest of the county was agricultural. Nothing of the kind. The Return, however, did not include Liverpool, Manchester, Warrington, Todmorden, Clitheroe, Bury, and several other towns. As far as he could calculate, not a million of the whole rateable value accrued from purely agricultural districts. The Fylde district about Ormskirk was purely agricultural; but if the distress which was feared really prevailed, those districts would hardly furnish a breakfast for the rest of the county. The Union of Rochdale had again and again applied to that House for the power to raise money to meet its own distress. The representatives of the ratepayers there said they could keep their poor from want if Parliament would allow them to deal with their property as they thought best. Why should Parliament oppose the wishes of that intelligent, energetic, and, in their normal state, wealthy population? Only that morning he had received from Rochdale a telegram —"The Bill is at present only a mockery, and is valueless to us. Without borrowing powers numbers must be pauperized." Was it not monstrous to postpone the question till the last three or four days of the Session, not even allowing boards of guardians time to meet together and make known their wishes in the form of a letter, but obliging them to telegraph to their representatives what they wanted done? The objection raised against a loan was that boards of guardians would thus tax posterity, and probably waste their resources. But his impression was that they would be quite as liable to waste the money if they obtained it by going to the county for a rate in aid. If they were empowered to borrow upon the security of their own rates, repayment of the loan being fixed at the end of seven or ten years, the consciousness that they themselves would probably have to pay the money would act as a check upon them, and a better guarantee would be given for careful expenditure than if they had a rate in aid from other districts. Assuming that they must have extraneous succour, was it not better that they should fall back upon their own now unproductive capital, which would be sure to become productive again in the course of a few years? The very fact that in ordinary times these parishes paid so little for the relief of distress was a proof of their ability in ordinary times to pay off any loan which might now be effected. These districts were struggling with a difficulty which they believed would be a temporary one, and they asked to be allowed to deal with it in their own way. He might say that the wish of Rochdale on the point was the unanimous wish of Lancashire. He did not indeed assert that there might not be some crochety persons, who concurred in the principle of the Bill. But the general feeling of the county was in favour of the borrowing power, and the London newspapers which, like the *Economist*, devoted themselves chiefly to the consideration of economical questions, arrived at the same conclusion. Why, then, did they hesitate? Could there be better authority than that of the parties interested? The hon. Member for Stockport was the exception to the rule of those who had advocated borrowing powers. The town clerk of Stockport, whose opinion he (Mr. Cobden) would take in preference to that of any one in the borough, said in a letter that there was great disappointment with reference to the result of the preceding debate on this Bill, and that the hon. Gentleman did not express the opinion of his constituents. The town clerk entered into details to show how the Bill would work, and he concluded by saying—

> "I do hope you will be able to get borrowing powers, even although they may never be used. God help us if Parliament separate without giving full powers! The prospects of this district during the winter are viewed with great alarm."

Why should Parliament take upon itself the responsibility of refusing to these intelligent men, who were on the spot and acquainted with the nature of the emergency, the powers they asked for? From what he had heard since the measure was introduced, he had, under the guidance of men who were more competent than himself to deal with the subject, changed his opinion so far that he was prepared, in the name of Lancashire, and not speaking for Derbyshire or Cheshire, to give up the rate in aid altogether, unless they could also have the borrowing power. In the name of the parties chiefly interested he felt authorized to say, that if it was impracticable to grant the option of borrowing—and he was sure it would not be so if they had not been at the end of the Session—they would prefer to have the borrowing power, and not the rate in aid. Therefore, the question he should like to be considered as at issue in the division was, whether the power to borrow should form a part of any measure to be passed, subject, of course, to any conditions they might think fit to impose. He would rather not consider himself bound to the explicit terms of the Amendment, to the mover of which he felt much obliged. Neither did he wish to be bound to the details of the hon. Member for Oldham. But, in taking a vote on the re-committal of the Bill, he wished it to be considered that the question was, whether or not the House would give powers to borrow, subject to such conditions as it might think fit to impose.

MR. J. B. SMITH said, that he still objected to the borrowing power, as he believed that the cotton famine was something more than a mere passing cloud. The cultivation of cotton had not extended in India—the only place from which there were any hopes of obtaining supplies. In *The Times* of that morning there was a letter from Mr. Saunders, a gentleman employed by the Indian Government to inquire into the growth of cotton in India, and he complained that the Manchester people had not sent agents to India to stimulate the growth of cotton, and consequently that there had not been any extension of its cultivation. Persons were too apt to look at Indian questions from a European point of view, whereas India required to be dealt with differently from other countries. If we wanted a supply of corn or cotton from America, a rise in the price in this country created a competition of buyers in America, and insured an increased supply; but in India they were not certain of getting cotton if even buyers went up the country and offered high prices to the ryots, with money in their hand. The cotton-growers in India were mere labourers, and were so poor that without the aid of the village banker they could neither purchase seed nor pay their rent. The consequence was that the growers were bound to the bankers, who purchased their crops at their own price. The ryots regarded strange purchasers with suspicion: they felt no security, that if advances were made to them one year, they could be certain of obtaining them whenever they needed; while they could always depend on the assistance of the village banker, whose father and grandfather advanced to their father and grandfather. No doubt this difficulty might in the end be overcome, but "while the grass grows the steed starves." He was anxious that some means should be adopted with a view to encourage the ryots to extend the cultivation of cotton. They now usually got for it from 1*d.* to 1½*d.* a pound from the village banker. What was wanted was an increased price secured to the grower to encourage increased production. In the present difficulty of obtaining a competition of buyers the only course appeared to be for the Government to compete with the banker by offering to give 2*d.* to 2½*d.* per pound for clean cotton, and to take it for three years in payment of rent, whereby large quantities of the staple might be secured. But then it was said, "Oh, this would be contrary to sound principles of political economy. Would you have the Government turn cotton-buyers?" Now, in the first place, in great emergencies Parliament often disregarded what were called sound principles of political economy. It was a sound principle that no able-bodied man should subsist on the labour of others; but in the Bill before them there was a departure from this principle. They were justified in departing from ordinary principles in order to meet great temporary difficulties. Nothing could be more sound than that a bank should pay its notes in specie on demand; but that rule had been departed from twice in the case of the Bank of England. In the next place, while the measure which he recommended would have greatly extended the cultivation of cotton in India, Government would not have had to buy a single pound of the staple. Cotton was now selling for 1*s.* 2*d.* and 1*s.* 3*d.* a pound; there was no chance of its being worth less than 2*d.* to 2½*d.* per pound; and Government might therefore have made the offer with the greatest safety. Notwithstanding all that had been said, he was still of opinion that it was a most injudicious course for Lancashire to borrow money on a short term of five or seven years. His constituents, however, did not ask for so short a term; they wished to borrow of the Government for twenty years, and he did not think that the Legislature was prepared to allow them to borrow for any such period. If a distressed district borrowed money for a short term, he feared that there was no prospect of its being able to repay it within the period fixed without serious embarrassment. It was on these grounds that he opposed the borrowing power.

Mr. CONINGHAM said, he felt, that in the exceptional condition of the Lancashire population, their case was entitled to exceptional consideration. He thought that the emergency could be met by no ordinary means, and that it was possible that national aid would have to be extended to the distressed districts. He rose, however, to call attention, not only to the peculiar emergency in which they found themselves, but to the political and social condition in which so large a mass of their working population were placed. Their entire reliance was upon one staple article —cotton; and when that failed, no other resource was left them to earn their bread. Such a condition of their industrial population was, he ventured to say, a very unhealthy one, and not unattended with danger to the state. With regard to the social condition of that population, he had read a statement in *The Times* that since the women in the manufacturing districts had been thrown out of work the longevity of the infants had very much increased. In regard to the present emergency, all parts of the country sympathized with the distressed districts, and would heartily support any measure which might be adopted for their relief.

Mr. NEWDEGATE said, the hon. Member for London and the President of the Poor Law Board had held out hopes that this country would receive large quantities of cotton from India. Whether these hopes would be realized or not the House had no means of judging. He was, however, of opinion that there were sufficient grounds for believing that in some localities, at least, the present distress would in a short time be alleviated by employment, and on that ground he thought it wise that the Lancashire people, who were the best judges of their prospects, should be allowed to decide in what manner the temporary distress was to be met. The hon. Member for Rochdale asked that Lancashire might be allowed to meet the temporary distress with loans; and it was much better to adopt a plan which would not crush the householders, but enable owners of property to distribute the burden, so that that which had increased in value by the operatives' exertions might bear some part of the burden. He thought that in the districts in which the distress was proved to exist the House ought in the first instance to give the owners of property the power to meet it by loans.

Mr. HENLEY said, that the further the discussion went, the more convinced must every one feel, not only of the importance of the subject, but also that Parliament was legislating to a great extent in the dark. Statements, supported by figures, had been made by the Government as to the amount of distress which was likely to ensue, but they had been met with a most positive contradiction by an hon. Member who said that he spoke for all Lancashire. He would not pretend to decide between the two authorities, but it was quite clear that the House was almost without any information necessary for legislation. There was no reliable information before the House later than 1856 as to the amount of rate which was paid in each parish—a point on which it was essential that they should be informed before they could form any accurate estimate as to the proper mode of relieving this distress. Under that state of circumstances he should support the proposition of the Government. Two plans had been laid before the House—one by the hon. Member for Hertfordshire, the other by the hon Member for Oldham—of both of which the hon. Gentleman who spoke for Lancashire spoke disdainfully, and to neither of would he bind himself in any way. The House was asked to assent to vague and general plans for borrowing, and nobody could tell the House how the money was to be borrowed, on whom it was to be charged, or in what proportion. It might be that the people of Lancashire were calling out for borrowing powers because they thought that it would confine the relief to a more limited area; but until some definite scheme was laid before the House, it was impossible to tell how the burden was to be borne—by the parish, the union, or by the whole county. All who had supported the scheme had spoken in the most general terms. It had been said that without these borrowing powers it would be impossible to meet the distress, but he could hardly give credit to that statement. Take a parish rated at £10,000 a year. A 5*s*. rate in that parish for one quarter would be £625. Nobody had assumed that more than half the ratepayers would be able to pay the rate, and he could not believe that a parish of the rental of £10,000 would not be able to raise a second sum of £625 within the quarter without borrowing. It had been said that the measure would fail; but even if it did, the Government would be able to call Parliament together in the autumn, and to propose another scheme for the relief of the distress. Theirs was the responsibility; for, with the limited information which had been laid before the House, it was idle to say that the House could be responsible. In a case of such magnitude it was best to stand upon an old principle, and to adapt that principle, as far as could be done, to the necessities of the case. If the measure should fail to meet the distress, the responsibility of calling Parliament together to propose a new scheme would rest with the Government. But, with the imperfect information before it, it would be unwise of the House to introduce into the Poor Law an entirely new principle—that of borrowing money for the relief of the poor. That was a measure which ought only to be adopted in the last necessity, and nobody had yet said that the distress was at present overwhelming. For these reasons he should support the proposition of the Government.

Major G. C. LEGH said, that in all the communications which he had received from his constituents in North Cheshire the necessity of granting borrowing powers was insisted on—not borrowing powers as contradistinguished from the measure proposed by the Government, but as an appendix to it. In that feeling he entirely concurred, and he hoped the Government would consider whether they could not amend the measure so as to carry out the desire of the manufacturing districts. At present he did not think that the House was called upon to pledge itself to any particular plan. All that they had to decide was whether they would recommit the Bill; and, if they decided to recommit the Bill, it would then be for the Government to propose such a plan as they might think best for appending to it the desired borrowing powers. He hoped the Government would not spoil the effect of what they had done by refusing to take the course proposed.

Viscount PALMERSTON: Sir, I hope the House will come to a decision on this question now. The issue, as I understand it, for the House to determine under the form of the recommittal of the Bill, is whether they will adhere to the principle of a rate in aid as proposed by the Government, or whether they will recommit the Bill for the purpose of introducing into it, jointly or separately, the principle of raising money by loan. It is a very plausible thing to propose to raise money by loan—it is the easiest way of getting money if you shut your eyes to the subsequent repayment; but I should wish the House to recollect that it would be introducing a totally new principle into the Poor Law. There is no argument that I have yet heard in the course of this debate in favour of that proposal which would not apply to any period of distress in any part of the country. All the arguments I have heard used in favour of raising money by loans would apply now equally to other parts of the country where the rates are higher even than the *maximum* proposed by my right hon. Friend as the starting-point for the extension of the rate in aid, and which would be the starting-point for the borrowing of loans. There are many parishes in other parts of the country where the rates are already higher than that limit. I believe there can be no worse principle in political or domestic economy than to borrow money to pay current expenses, and that is what we are now asked to do. We are asked to enable these parishes to incur debt for the purpose of meeting current expenses. Is that necessary? If it could be said that there was no other mode of meeting the emergency, you might be asked to ignore the general principle in order to provide for a particular case; but it is demonstrable that the wealth of Lancashire and Cheshire is amply sufficient for any demand which a rate in aid would make upon it. The hon. Member for Rochdale has put the rateable income of Lancashire at £7,000,000. I believe it is nearer £10,000,000 or £11,000,000, and that, after making any deduction you may please for those who may be unable to pay their rates, is amply sufficient to provide until the 1st of March for any demands made by a rate in aid spread over the county. The real truth, when you come to examine this proposal, is that you are to exempt the rich, to throw the whole burden on the poor. ["No, no!"] Yes, you are to exempt the county which is rich, and to throw the pressure of the whole burden, present and future, on the parishes and unions which, by the fact of a loan, are assumed by the argument to be in a state of poverty, and unable to pay their expenses. In the counties whose case we are now discussing immense sums of money have been made; manufacturers have realized enormous fortunes, which fortunes they possess still. An hon. Gentleman says they have invested them in mills, but they have accumulated much larger sums than are invested in mills. There are enormous capitalists in those counties, some of whom, I am sorry to say—although they have a starving population at their gates and anticipate the worse distress coming on—have actually, for the sake of profit, sold and sent out of the country the very material which they ought to have used to supply the mills and to support the people. Are these people to be exempted? Why should they not be called on to contribute to alleviate the misery they see around them, when they have ample means? But not only have these manufacturers made enormous fortunes, but all the landowners have profited greatly by the prosperity of the cotton manufacture in the county; and nothing can be more just than that the whole county at large should, in the ultimate resort, be called on to contribute to the support of these people out of employment. It is amply proved that the county is able to do so. That it is able is a fact so clear and so well known that no human being has been able to deny it. It may be a very convenient thing to localize the burden and fix it on the parish, but I do not think it is a fair proposition. I think it is fair that the current expenditure of the county should be borne by the contributions of the county, instead of introducing into your Poor Law a new principle of borrowing money for current expenditure. I should really hope therefore that the House would adhere to the Bill as it is, and negative the proposal of my hon. Friend.

MR. AYRTON said, the statements of the noble Viscount were so contrary to the facts, and calculated to throw so much undeserved odium on the cotton manufacturers, that they ought to be refuted at once. The noble Lord said the proposal to raise money by loan was to exempt the rich and throw the whole burden on the poor, and that the manufacturers, who had accumulated large fortunes and sent their cotton out of the country, would thus escape all contribution. But the Bill before the House would not touch the money of the manufacturers at all. Not a single farthing would be raised on these enormous fortunes, except they happened to be invested in mills. The fact was that in their assumed justice and humanity the Government were going to exempt the owners of property altogether from any contribution; for what they proposed was that the rate in aid should only continue six months; so that the charge would fall with enormous severity on the occupiers, and most heavily of all on the tenant-farmers, who would have to pay an income tax of ten per cent on their incomes, while the landlords would not pay one single farthing. He supported the proposal for a loan, because it was the only mode by which property could be made to pay, and by which the gross injustice which was about to be inflicted on the tenant-farmers could be avoided. The only mode of adjusting the charge between the occupier and the owner was to diffuse it over a period of time, which the proposed plan would effect; but, as it stood, the measure would work the grossest injustice.

MR. DEEDES said, he could not help remarking the extraordinary discrepancy between the language of the Poor Law Board in introducing the Bill and the tone just taken by the noble Viscount. The right hon. Gentleman at the commencement of the discussion told the House that the Government were ready and anxious to take the view of the House on the subject—in fact, almost shirked the responsibility of pronouncing an opinion on the measure himself; but now the noble Lord got up, and, in the strongest manner, denounced the attempt to incorporate the principle of loans with the principle of a rate in aid. He could not understand on what principle it could be concluded that those who were to have the power of raising the money, and who would have to repay it, would not raise it and expend it in the fairest and most judicious manner. By the proposal before them the House was not pledged to any specific plan, and he should therefore support it.

MR. C. P. VILLIERS maintained that he, on the part of the Government, had given a decided opinion from the first. He all along said there were two propositions before the House, and gave his reasons for the adoption of a rate in aid; but announced, that if the House adopted a different plan, the Government would not think it fatal to the Bill. His announcement was consistent with the statement just made by the noble Lord at the head of the Government.

MR. ALDERMAN SIDNEY said, the simple question the House had to decide was, whether the amount required for the ordinary wants of the poor was to be taken from borrowed capital or from the natural resources of the district. He felt satisfied that the unfortunate state of distress in Lancashire was much more likely to be aggravated in six months than mitigated. He confessed he was utterly at a loss to understand where the money was to be borrowed to meet the emergency, as some hon. Members advocated the adoption of the principle of a loan. He should certainly support the proposition of the Government, believing it to be the soundest that could be suggested under the circumstances.

THE MARQUESS OF HARTINGTON said, he should not have risen had he not felt it a duty to protest against the spirit in which the question had been treated by the noble Lord at the head of the Government. The fact that manufacturers had made large fortunes was no reason why the burden of relieving the present distress should be thrown entirely on the occupiers. Many manufacturers who had made large fortunes in the county had taken themselves and their fortunes out of it altogether—and how could they be touched? The real question was, whether by raising that year, and in future years, rates of enormous severity, they would reduce a great number of the smaller ratepayers to pauperism, or whether they would take the advice of almost all who were most interested in the question, and borrow the money now needed and repay it when that prosperity returned which every one anticipated. He agreed entirely in the observations which had just been made by the hon. Member for the Tower Hamlets.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 88; Noes 95: Majority 7.

Words *added.*

COLONEL WILSON PATTEN said, that as both the noble Lord and the right hon. Gentleman the President of the Poor Law Board had promised to give the most favourable consideration to any expression of opinion on the part of the House, he would suggest that Her Majesty's Government should, after the division which had taken place, take the matter in hand, and endeavour to carry out the wishes of the House. He feared some danger in any individual member proposing resolutions, and he thought it would be much better if the Government endeavoured to give effect to the views which the House had just expressed.

VISCOUNT PALMERSTON: My right hon. Friend stated, and I also said the same, that however strong our opinion in favour of the plan which we proposed, should the House express a different opinion, the measure was too important in its nature to be thrown over the recess. The House having decided upon another plan, I think it will be better for my right hon. Friend to propose some measure for the consideration of the House, embodying the views which have been expressed. In that case I do not think it can be ready to-morrow morning, but the House at its meeting to-morrow afternoon will receive the proposal of my right hon. Friend.

MR. DISRAELI: The clauses which will be necessary are very important, as they involve the machinery by which the very important determination of the House is to be carried into effect. If the Government can produce them to-morrow in a satisfactory form, it will be very creditable to them. But I hope the House will not be called upon hastily to give its decision upon clauses which they have had no time to consider. I would suggest that we should not be asked to decide until Friday.

MR. COBDEN: Sir, I take the first opportunity, when the forms of the House permit me to speak again, to say a word in reference to a remark which fell from the noble Lord. It is one of greater scope and tenour than might be supposed from the levity with which it fell from the noble Lord's lips. The noble Lord alluded to rich manufacturers with starving people at their doors, who, unmindful of their fate, have been sending cotton abroad at a profit, instead of working it up in their own mills. Any one connected with Lancashire—and I speak in this matter for all parties—knows that 99-100ths of the manufacturers and spinners in that district have been working their mills and factories at a loss for many months—some of them at a very great loss. I read a letter the other day from a gentleman who is engaged largely in the trade, and who stated his own case. He held a stock of cotton for which he could have obtained £20,000 profit, if he would have sold it; but he preferred to employ his own workpeople, by which he lost £20,000. I do not say this to the credit of cotton spinners or manufacturers alone. There is nobody of any feeling, situated as they are, who would not do the same thing. There is no landowner or farmer who does not in rigorous times employ his people without any view to profit. But for a Prime Minister, dealing with a general argument, to allow a remark to fall from his lips so calculated to produce envenomed feeling between two classes whose mutual relations are, in a time of great distress, exposed to peril—for a Prime Minister to use such language as that, is highly to be reprobated. Not only is it an unjust aspersion upon one class, but it is tainted with that habitual incorrectness and recklessness for which the noble Lord is so remarkable. I would add my recommendation to that which has just been made that this measure be dealt with carefully and cautiously. I would suggest, that if borrowing powers are to be introduced, the Government in framing clauses to give effect to the decision of the House should bear in mind what has occurred. If the Government carry their own spirit into the formation of the clauses, most likely the House will have a Bill brought before it with which it could not deal, and we may have to adjourn from day to day without coming to any definite conclusion. The spirit in which the Amendment has been carried, is this—that it is desirable to allow the population in Lancashire to tide over the present difficulty, on the assumption that it is a temporary difficulty, and that it is desirable in their interest that they should be allowed to take measures as promptly as possible, before that ruin has come upon them which would prevent their retaining a position from which they may rise again when the arrival of the raw material of their industry enables them to set to work. I therefore would suggest, that there should be no limit at all as regards the height of the rate when borrowing powers are to come into operation, or that the limit should be as low as would not prevent any union at the present moment resorting to those powers. If that is not done, great distress and ruin will be caused in these districts. I should prefer to see the original principle of a multiple of former rates. The position of the different parishes and unions in the north of England is so very diverse that no fixed sum can be suitable for all cases. I would advise that every confidence should be shown in the people. Leave them to deal with their own affairs, for you may be assured that they will act more wisely in the matter than you can, and therefore let them have as few restrictions to tie them down as possible.

GENERAL LINDSAY said, he had understood the noble Lord to say that the House by the recent Vote had decided upon the principle of a loan instead of a rate in aid. He (General Lindsay) certainly did not understand that it was a question of alternative of either of the two propositions. If he were under such an impression, he should certainly have voted in favour of the Government proposition.

MR. C. P. VILLIERS said, that the spirit in which the House had voted might be collected from the clauses which appeared on the votes, and also from what had taken place in the course of the discussion. It certainly was not intended to interfere with the provisions of the Bill as proposed by the Government, but merely to admit the alternative of districts raising money by loan. In that spirit he would undertake to prepare a clause, which need not be complicated, as the principle was clear. It would be in the hands of hon. Members in the course of the day, and the House, he should think, would be prepared to discuss it in the course of the afternoon.

MR. E. P. BOUVERIE: I hope the Government will not listen to the blandishments of the hon. Member for Rochdale, and allow the unions to borrow, without reference to the excess over ordinary expenditure. It is a tempting bait and is always coming into view as a way of getting out of a pecuniary difficulty. Two things are mixed up together. One is the distress of the labouring classes, and the other the pressure upon the ratepayers. The distress of the poor is used as an argument to shift the burden occasioned by their distress. No doubt it is true that a sudden pressure on the poor rates falls hardly upon the ratepayers, and that the class which is bordering between pauperism and solvency is driven by it to the wrong side of the fence. All our sympathies and all our pity must be for that class. But, besides being a most dangerous thing in principle, in the long run the burden will fall more heavily upon that class if the unions are allowed to borrow in the first instance, and to accumulate a large mass of debt upon the rates, than if by hook or by crook the unions endeavour to raise by rates the amount of current expenditure. I wish to quote the opinion of a Gentleman, whose opinion the hon. Member for Rochdale will respect. It was expressed in the course of a debate in 1849, when it was proposed to levy a rate in aid over all the unions in Ireland to relieve the distress in the western portion of the kingdom. The Gentleman, whose words I will quote, referred to the case of Stockport, and I may say, not without authority, that the distress in Stockport in 1842 far exceeded any distress which now exists, or is likely to exist, in Lancashire. That Gentleman, speaking in 1849, said—

> "I allude to the case of Stockport in 1842. Owing to a variety of circumstances—I won't go into the question of the corn law, as that is settled—but owing to a variety of circumstances, from 1838 to 1842 there was a continued sinking in the condition of Stockport—its property depreciated to a lamentable extent. One man left property, as he thought, worth £80,000 or £90,000. In two years after it sold for little more than £20,000. Since that time the son of one person, then supposed to be a person of large property, has had relief from the parochial funds. In 1842 the amount of the poor rate averaged from 7*s.* to 8*s.* in the pound. From November 4, 1841, to May 30, 1842, the rates levied were 6*s.* in the pound, realizing the amount of £19,144. From January 28, 1843, to August 2 of the same year, the rates levied were 7*s.* in the pound, and the amount raised £21,948. And bear in mind that at that time Stockport was in process of depopulation—many thousands quitted the place—whole streets were left with scarce a tenant in them—some large public-houses, previously doing a good business, were let for little more than their rates; in fact, Stockport was as fair a representative of distress amongst a manufacturing community as Mayo, Galway, or any western county of Ireland, can be at this moment of distress amongst an agricultural community. . . . Well now, all this suffering was going on—the workhouses were crowded, the people emigrating, there was a general desolation; and had it not been for the harvest of 1842, which was a good one, and the gradual recovery of trade which followed, nothing in Ireland could be worse than the condition of Stockport would have been. What was the result? Property was so much depreciated that it changed hands. Something like half the manufacturers failed, and, of course, gave up business altogether. My hon. Friend the Member for Stockport purchased property in that borough at this period, and since then he has laid out not far short of a hundred thousand pounds, in a very large manufacturing establishment in that town. In fact, the persons who are now carrying on the manufacturing business in Stockport are of a more substantial character than those who were swept away by the calamities of 1842. Well, it is a very sorrowful process. I can feel as much for those persons as any man; but we must all submit to circumstances such as those, when they arrive. There are vicissitudes in all classes of society, and in all occupations in which we may engage; and when we have, as now, in Ireland, a state of things—a grievous calamity not to be equalled under the sun, it is the duty of this House not to interfere with the ordinary and natural course which circumstances take upon such occasions, and not to flinch from what is necessary for the safety of the people from any mistaken sympathy either with the owners of cotton mills or the proprietors of landed estates." [3 *Hansard*, civ., 172, 173.]

Those were the observations of the hon. Member for Birmingham (Mr. Bright), and I think it clear that the hon. Gentleman's opinion is radically opposed to the opinion of the hon. Member for Rochdale.

MR. NEWDEGATE remarked, that the opinions of the hon. Member for Birmingham were overruled by Parliament in 1849.

MR. E. P. BOUVERIE: Yes; as far as rates in aid.

MR. DISRAELI: I should like to know from the noble Viscount clearly what is to be the course of business in reference to this Bill. I think the House is not in a fitting disposition to decide upon the question until they have had a fair opportunity to consider it.

Viscount PALMERSTON: What we propose it to meet to-morrow afternoon. My right hon. Friend will then have proposals to make to the House. The House can deal with them as they think fit, and proceed with them on Friday.

Mr. LYGON said, he wished to ask, in the event of the Bill being re-committed, and the measure passing through Committee on the following day, what course the Government intended to take on Friday?

Sir GEORGE GREY: That will be stated to-morrow. It depends on the course of business.

Main Question, as amended, put, and *agreed to.*

Bill *re-committed,* for the purpose of considering Clauses to enable the guardians of unions to borrow money on the security of rates of parishes within such unions: Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

MALT CREDITS.—QUESTION.

Mr. COBBOLD said, he wished to ask the Chancellor of the Exchequer, Whether, looking to the difficulties to which the malting trade had been subjected by the shortening the malt credits, he would consent to give such reasonable extension of credit to the maltsters as may be consistent with his financial arrangements?

The CHANCELLOR of the EXCHEQUER said, he understood the question had reference not to the past crop, but to the crop next to come. The question being general in its terms, he could only give a general reply. He should be open to consider any plan which, without deranging the annual system of credit, would give the relief desired. He thought it was possible that it might be done without great cost; and if there were any cost, it might be provided for.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, July 31, 1862.

Minutes.] — Public Bills.—2ª Consolidated Fund (Appropriation); Court of Common Pleas (Officer for Acknowledgment of Deeds); African Slave Trade Treaty (No. 2); Bankruptcy Act (1861) Amendment; Burial Boards (Mortgage of Rates).

3ª Excise Duties; County Surveyors (Ireland); Recovery of Poor Rates, &c.; Highland Roads and Bridges; Moveable Property (Scotland).

DRAINAGE (IRELAND) BILL.

[bill no. 235.] second reading.

Order of the Day for the Second Reading read.

The Earl of LUCAN put it to his noble Friend (the Marquess of Bath) who was in charge of the Bill, whether he would persevere, at this late period of the Session, with a measure which contained upwards of eighty clauses, which took six months to pass the House of Commons, and which contained so much that was of an objectionable nature.

The Marquess of BATH said he had been asked by a friend to find a noble Lord to take charge of the Bill; and as he had not found any one to do so, he had consented himself to move the second reading. Though he did not agree with his noble Friend that the Bill was of so objectionable a nature, yet he felt that it would be necessary to introduce several amendments into it. As it would be impossible at that period of the Session to give those amendments the consideration which they deserved, he should not press the second reading of the Bill.

Order for Second Reading *discharged;* Bill *withdrawn.*

TICKET-OF-LEAVE MEN.
THE FORDINGBRIDGE MURDER.
QUESTION.

The Earl of MALMESBURY asked the noble Lord the President of the Council, Whether there would be any objection to lay before their Lordships any Correspondence that might have taken place in reference to a convict of the name of Gilbert, who had obtained a ticket-of-leave, and who had since committed a murder, of which he had been convicted. There was a strong feeling in that part of the country where the murder took place that this man, who had been previously convicted of a number of crimes, including rape and burglary, ought never to have been allowed to go at large. He hoped his noble Friend would cause some inquiry to be made on the subject.

Earl GRANVILLE said, he was not

acquainted with the circumstances of the case, but would make inquiries.

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter before Five o'Clock.

HOUSE OF COMMONS,

Thursday, July 31, 1862.

MINUTES.]—PUBLIC BILLS.—1° Benchers' Jurisdiction and Authority.

JUDICIAL STATISTICS.—QUESTION.

MR. W. EWART said, he wished to ask the Secretary of State for the Home Department, What measures have been adopted for publishing the Judicial Statistics (Civil and Criminal) of Scotland and Ireland on an uniform system with those of England; and whether it was intended to carry into effect the recommendations of the International Statistics Congress of 1860?

SIR GEORGE GREY said, that he had had some communication with the Irish Government on the subject, and he understood that they would be prepared to lay before Parliament Judicial Statistics similar in substance to those that were now prepared for England. Owing to the absence of his right hon. and learned Friend the Lord Advocate, he was not at present able to say what had been done in Scotland; but he would inform his hon. Friend on a future day what preparations were made for publishing similar statistics of that country. It was not intended to adopt the recommendations of the International Statistics Congress of 1860, because they would involve a very considerable expenditure of money.

ADMISSION OF ENGLISH SALT INTO FRANCE.—QUESTION.

MR. LAIRD said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether anything has been done relative to the admission of English Salt into France under the new Treaty, and whether any Communications had been received from Lord Cowley on this subject?

MR. LAYARD said, in reply, that there had been an understanding with the French Government, that the question of the importation of salt into that country, not having been settled under the Treaty with England, should be regulated by the Tariff fixed by the Treaty to be entered into between France and Belgium. Owing, however, to some difficulty which arose during the negotiations on the subject, that arrangement had not been carried into effect. It was then hoped that when the Tariff arising out of the Treaty between France and the Zollverein was issued, the question of the importation of salt would be disposed of by it. That Treaty, however, had not been concluded, and therefore nothing had been done in the matter as between this country and France. The Government were, however, anxious that some steps should be taken in regard to it, and instructions had been sent to Lord Cowley to press the subject on the attention of the French Government.

ELECTRIC TELEGRAPH COMPANIES.

QUESTION.

LORD ALFRED CHURCHILL said, he wished to ask the President of the Board of Trade, If it is the intention of Her Majesty's Government to lay upon the table of the House a Bill regulating the powers of existing Electric Telegraph Companies over public roads?

MR. MILNER GIBSON replied, that a Bill had been prepared; but inasmuch as there was no chance of discussing it during the present Session, there would be no utility in laying it on the Table at present, but it would be introduced early next Session.

CONSULAR REPORTS.—QUESTION.

MR. FREELAND said, he would beg to ask the Under Secretary of State for Foreign Affairs, When the Reports of our Consuls abroad, on the trade of the different countries to which they are accredited, for the year 1860, will be presented to Parliament; and whether any arrangement can be made in order that such Reports may in future be presented with less delay?

MR. LAYARD said, the Reports in question would, he hoped, be in the hands of Members before the end of the Session. The fact was, that many of our Consuls were stationed in quarters so remote that their Reports did not reach this country as soon as might be desirable. Every endeavour would, however, be made to lay them before the House as soon as possible,

CORRUPT PRACTICES AMENDMENT BILL.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for the Home Department, What course the Government intend to take with regard to the re-introduction of the Corrupt Practices Amendment Bill next Session?

Sir GEORGE GREY said, he hoped to be able to bring in a Bill on that subject — not the identical Bill named in the hon. Gentleman's question—early next Session.

UNION RELIEF AID BILL—[Bill No. 240.]

COMMITTEE.

Bill *considered* in Committee:—

(In the Committee).

Mr. C. P. VILLIERS said, that in conformity with what seemed to be the wish of the House yesterday, he had prepared a proviso to be added to Clause 3, enabling boards of guardians to borrow, as an alternative to seeking contributions in aid from other unions. The proviso was as follows:—that, instead of making such application as aforesaid,

> "such guardians may, by resolution passed at a meeting held after special notice in writing sent to every elected and *ex-officio* guardian of the union, apply to the Poor Law Board for authority to borrow a sum of money sufficient to meet such excess; and the Poor Law Board may, if they think fit, issue their order accordingly; and thereupon the said guardians may borrow such sum, and shall charge the common fund of the union with the repayment of the same, by equal annual instalments not exceeding seven, and with the payment of the interest from time to time to accrue thereon."

Mr. W. EGERTON expressed his satisfaction with the clause, and thanked the right hon. Gentleman for having brought it forward. He thought it perfectly fair that the loan should be raised by the union, and not on the security of the parish rates. In Ashton and Stockport the opinion was in favour of raising money by way of loan, and in those places no difficulty would be experienced in repaying it. The rateable property in Stockport and Ashton amounted respectively to £250,000 and £348,000, and the ordinary rate in one case was 9*d.*, and in the other 1*s.* 2*d.* in the pound. On the other hand, in Macclesfield the feeling was against a loan, because there had been considerable distress there for some years on account of the bad state of the silk trade, and there was an apprehension that the money could not be borrowed without much difficulty. He hoped the measure as now framed would be received by the distressed districts in the same spirit in which it had been discussed.

Mr. HIBBERT said, he did not think the clause would at all meet the requirements of the case. At present the rates did not much exceed from 1*s.* 6*d.* to 2*s.* in the pound. If the clause were carried, the guardians would have no power to borrow until the rates amounted to 5*s.* What they wanted was, that they should be empowered to borrow before the rates reached that amount. He hoped the limit in the clause would be reduced from 5*s.* to 3*s.* It was also desirable that a similar alteration should be made in the 1st clause. The boards of guardians in towns were, generally speaking, opposed to the principle of a rate in aid.

Mr. PULLER admitted that the clause, as far as it went, was an improvement, inasmuch as it would enable a union, when its aggregate expenditure had reached the limit which, under the Bill as it formerly stood, would have entitled it to apply for the application of the rate in aid principle, to borrow money upon its own property, thereby preventing other unions from being involved in the same common ruin. He was sorry to say, however, that the clause afforded no relief at all to the separate parishes, or to the individual ratepayers who were now actually in distress. The House had been told of *millionaire* manufacturers; but what they had to legislate for was the case of those small millowners and tradesmen who had the greatest difficulty in making both ends meet, and whom a very small additional pressure would reduce to a state of insolvency. This he believed could only be done by reducing the rate at which the borrowing power was to commence to 3*s.*, or by placing a limit of 5*s.* to the rate to be collected from the distressed parish. While prepared, therefore, to vote for the clause as it stood, he should deem it his duty to propose the other clause of which he had given notice to effect the object which he had in view, unless the President of the Poor Law Board were disposed in some shape or other to afford relief to the impoverished parishes and their ratepayers.

Mr. SEYMOUR FITZGERALD said, that as the Bill stood, some of the unions would be unable to avail themselves of the borrowing powers before Michaelmas, and some of them would not be able to do so before Christmas.

Mr. C. P. VILLIERS was at a loss to understand the grounds of the hon. Gentleman's apprehensions. In some townships the limit had been already reached, and they were entitled to the relief provided in that case.

Mr. SEYMOUR FITZGERALD observed that a parish could not apply for a rate in aid till Michaelmas next; and it would be the next quarter before the excess would be ascertained, enabling the unions to call on the county.

Mr. Alderman SIDNEY wished to know whether this clause would not deprive the distressed districts of the power of availing themselves of the rate in aid in the event of their adopting the borrowing powers.

Mr. C. P. VILLIERS said, that was not exactly so. The object of the clause, which had been introduced into the Bill at the express desire of a majority of the House, was to give the alternative either to go to the unions of the county to meet the excess of expenditure, or to meet it by means of a loan. If they did not like to exercise the borrowing powers, they might avail themselves of the rate in aid; but if they preferred borrowing, the money would be repaid in seven annual instalments, charging the common fund of the union with repayment and interest.

Colonel WILSON PATTEN said, he thought the borrowing power would be inoperative if it rested on the same limit as the rate in aid—namely, 5*s.* He had great objection to the unions coming on the county, not because he feared that the county property would have to contribute to the relief of the distressed operatives, but because it would be a temptation to extravagance, and the county would have no control over the purse of the union. He suggested, that if the limit for the rate in aid were kept at 5*s.*, and that for raising loans were reduced to 4*s.*, the borrowing power might be exercised with great advantage by all parties.

Sir HENRY WILLOUGHBY thought the clause would be wholly inoperative. What was wanted was, that after the rates reached, say 3*s.* in the pound, a moderate power of borrowing should be given. Such an arrangement as that might carry them through, without going any further at present.

Mr. BARROW decidedly objected to the proposal of the hon. Member for Hertfordshire, as introducing an exceptional principle into the law for the whole of England. He had known the rates rise to 5*s.* and even double that sum in his own part of the country, in districts which suffered from temporary distress; and there the period of depression, if it lasted only for a year or two, was tided over by the ordinary operation of the law. He saw no difficulty, however, in adopting the suggestion thrown out by the hon. Member below him (Colonel W. Patten), that the power of borrowing, if granted at all, should take effect earlier than the power of coming on the county for a rate in aid.

Mr. C. P. VILLIERS said, that after the decision arrived at by the House yesterday, the simple question now was what should be the figure fixed upon in the first and third clauses as the limit at which the rate in aid and the power of borrowing should arise. He did not deny that there was much in what fell from the hon. Member for Hertfordshire (Mr. Puller) yesterday as to the unequal operation of a fixed sum upon those ratepayers who were solvent, and who might have to pay a much larger proportion than was intended, owing to the inability of the poorer class of ratepayers to meet the charges to which they were legally liable. He had been informed only that morning, that if the mills at Oldham were closed, as was expected before long to be the case, no less than two-thirds of the ratepayers would cease to pay. Of course, in such a case, the amount for which the rate had been made could not be collected, and another rate would have to be made, which those persons who were still solvent would have to pay. That state of things might go on till the rates were brought up to 10*s.* in the pound; which would certainly be a hardship. The intention of the Bill was, that the ratepayers should not pay more than 5*s.* in the pound. He understood the feeling of the House to be that there should be some reduction upon that amount. The hon. Member for Oldham (Mr. Hibbert) had yesterday suggested 3*s.* as the limit, and the hon. Member for North Lancashire (Colonel Wilson Patten) recommended 4*s.* as a sort of medium that might be adopted. From the information he had obtained, he thought that 4*s.* as a limit would operate beneficially; and, if such were the wish of the House, he would not object to introduce 4*s.* instead of 5*s.*, in the first and the third clauses, as the amount at which both the rate in aid and the borrowing power should come into operation.

Colonel WILSON PATTEN said, that that was not the purport of his suggestion. His suggestion was, that the borrowing power should begin at a lower figure than the rate in aid. If both were fixed at the same point, the borrowing power would probably be inoperative. He proposed that 4*s.* should be the limit for the borrowing power to commence, and 5*s.* for the rate in aid.

Sir GEORGE GREY said, that the borrowing power had been proposed on the preceding day as an alternative to the rate in aid, and it was stated that it would be accepted by a large portion of Lancashire with that condition. But there would be no real alternative in the case if the borrowing power and the rate in aid were to come into operation under different circumstances.

Mr. GARNETT thought it desirable that the power of borrowing should be given before the rates reached the point at which the union could come upon the county, otherwise a rate in aid would be naturally resorted to by distressed parishes in preference to raising money which they would afterwards have to repay.

Mr. C. P. VILLIERS reminded the hon. Member that a great difference of opinion existed as to whether the borrowing power should be given at all. A few days ago a meeting of the Lancaster Union was held, at which it was unanimonsly agreed that nothing could be more objectionable than to raise by loan money for the purpose of carrying out the Poor Law system, and they had presented a memorial to him to that effect.

Lord GEORGE CAVENDISH held it to be very desirable that the guardians should be able to resort to a loan at a lower point of the rates than that at which they could apply for a rate in aid. He would give the borrowing power when the rate reached 3*s.* in the pound.

Mr. DARBY GRIFFITH thought this was a ratepayers' question only. The Members for the localities affected were in favour of borrowing, while the Government recommended a rate in aid. He had voted with the Government on the previous day, and did not think that the decision of the House did more than indicate a difference of opinion in the country as to the merits of the respective plans. The question they had to consider was, in what way they should, or should not, give the borrowing power. If they were willing to do so, it ought to come into operation before the power of applying for the rate in aid.

Mr. GILPIN said, the advocates of borrowing powers had shifted their ground since yesterday. At first the representatives of the manufacturing districts simply asked that the power of borrowing should be an alternative to calling for a rate in aid; and it was stated, that if it should be given as an alternative, many of the distressed parishes would avail themselves of the provision. Not one of them suggested that money should be raisable by loan at an earlier period than that at which a rate in aid should be demandable — namely, when the poor rate was 5*s.* in the pound. But now they asked that borrowing might be resorted to when it was 4*s.* in the pound. The Government had come forward with a proposal in accordance with the generally-expressed wish of the House; and now it was said, that the proposal could not be adopted unless the terms at which the borrowing powers should come into operation were lower than those at which the rate in aid should be levied. Of course it was much easier to borrow than to make a rate in aid, and it was not surprising that there should be great unanimity of feeling, among those parishes which were likely to be called upon to assist the distressed districts, in favour of borrowing.

Mr. DISRAELI thought that the Committee were placed in a very inconvenient position. They were called upon to discuss a proposition which they had had no opportunity of considering. He thought more time was required to deliberate among themselves, and that it would be more for the advantage of their legislation, as well as for the convenience of the Committee, if the noble Lord at the head of the Government would consent to postpone the decision upon this question for a short time.

Mr. DEEDES remarked, that on Wednesday the simple question of giving the alternative of borrowing powers was agreed to by the House, but the terms of that alternative were not discussed. Surely, if the alternative power of borrowing were given, it ought to be put in such a shape that it would work; but he thought it would be wholly inoperative if it were not to take effect until the rate in aid could be applied for. He hoped the Government would reduce the limit at which the borrowing powers should commence.

Mr. HIBBERT was of opinion that

the borrowing powers should come into operation at a smaller amount than was stated in the clause. He thought, if it were allowed to come into operation at 3*s*., it would give prompt relief to those ratepayers who would be unable in the course of a few weeks or months to meet the demands of the tax collectors upon them.

MR. GARNETT said, he was ready to admit, with the Lancaster memorialists, that as a general rule it was not desirable to resort to a loan in the administration of the Poor Law; but he was prepared to depart from that principle in the extraordinary circumstances with which they had then to deal.

COLONEL FRENCH said, it appeared to him that the Government were carrying out the decision to which the House had come on the preceding day, that the borrowing power should only be given as an alternative.

MR. AYRTON thought that the Government were not doing what they professed to do. There would be no practical alternative if the borrowing power could only come into operation at the same time as the rate in aid. The proposition of the hon. Member for Hertfordshire was that the borrowing power should commence at a lower point. It would be utterly futile to suppose that the people of Lancashire would borrow money when they could obtain it without incurring the obligation of a repayment. What was meant by the representatives of the distressed districts when they asked for the alternative power was, that they would not go on the other fund if they were allowed to borrow before the rates had reached such an enormous amount as would reduce a majority of the ratepayers to insolvency. The proposition now submitted by the Government was really not an alternative. It was idle to suppose, that if people could get what they wanted from the pockets of their neighbours for nothing, they would be content to impoverish themselves by borrowing at probably heavy interest. What they really did say was, that if they waited until the rates reached the fixed sum of 5*s*. in the various parishes, a large portion of the ratepayers themselves would be reduced to a state of insolvency; but they were perfectly content if they could be relieved before the rates were allowed to reach that oppressive rate, by being permitted to borrow on the security of the property they possessed; and they not only believed that by so doing they would relieve the existing distress, but when the season of prosperity returned they would be able to repay the whole amount of the loan. He denied that the present mode of dealing with the subject was a simple application of the Poor Law to existing circumstances; on the contrary, they were importing an entirely new principle into the law—in fact, making a new law. The exercise of the borrowing power was, in his view, the most consistent with justice and principle; for by spreading the burden over a period of years, the tenants would, in many cases, be enabled to make fresh arrangements with the landlords, and impose upon property its due share of the burden. The Government proposition left the matter exactly where it stood on the previous discussion, and afforded no alternative whatever.

SIR GEORGE GREY said, that the principle of permitting the distressed districts to borrow money had been admitted on both sides of the House, and the Government had presented a clause having for its object to give the power as an alternative. The question now before the Committee was, that the clause be read the second time. By doing so the Committee would affirm the principle; afterwards it would be perfectly competent to introduce amendments as to the way in which the power should be exercised.

MR. COBDEN said, that he quite agreed with the right hon. Gentleman the Member for Buckinghamshire that the Committee was not in a position to decide the question at the present moment. The hon. Gentleman (Mr. Ayrton) said, that when the representatives of the distressed districts advocated the alternative power, the proposal was understood to be, that after the rates had reached a uniform sum, that boards of guardians were to have the alternative either of borrowing the money or applying for a rate in aid. But he must remind the Committee, that when this Bill was first brought in by the Government, they themselves put the limit in a very different form to what they had since stated it. In the first instance, the power was not to be exercised until the rates had exceeded two-thirds of the previous rates—that then, and then only, they would be entiled to succour from other sources; but that had been altered, at the instance, he believed, of an hon. Member connected with the agricultural districts—and very properly altered—and now the provision in the Bill was that the rate should be 5*s.* before the additional relief could be obtained. His case was, that the suffering manufacturing districts would be received before this limit was reached. Why was such a limit imposed? Certainly not in consequence of anything urged by the manufacturing districts. He presumed that the fixed limit was rather adopted at the instance of the agricultural districts—and he did not in the least blame them—which naturally wished the distressed unions should give strong proof of their desire to help themselves before they obtained help from their neighbours. But the fact was, that the ratepayers of these districts were somewhat in the position of a strong man who was suddenly paralyzed, and who did not want to be troubled and pressed with burdens until he had somewhat recovered his strength; and all that they asked the House to do was to grant them permission to deal with their own property. In his opinion, the best plan was to leave it as much as possible to the districts themselves to deal with the question. Take the case of Rochdale. The value of the assessable property of Rochdale was something like £3,000,000. The outside sum they would probably require to borrow was from £15,000 to £25,000, and there could be no doubt whatever that they would be able to borrow the money on the security of that property. Why should they not be allowed to borrow such a fractional sum as that in their own way and at their own time? He would give the communities that stood in need of this legislation the fullest scope as to the time at which they should borrow, limiting themselves as to the amount and time of repayment. Therefore there was not the least desire in the world to call upon the counties to assist them, provided they were allowed to assist themselves by borrowing before they were ruined by the excessive raising of the rates in their own districts. For his part, he was not opposed to the principle of a rate in aid, and he would leave that just where it stood at present, and permit the people to ask for a rate in aid when their rates reached 5*s.* in the pound; but he would not torment them now by coming with the whole routine of the Poor Law cut and dried to apply as a plaster to their wounds, when all they wanted was the simple power to help themselves out of their own resources, which would infallibly prevent the rates ever rising to such an extent that the powers to exercise a rate in aid would probably be required. They could not stand out for a principle on one hand, when it was acknowledged upon all hands, that they had departed from it on the other. He did not attach much importance, it was true, to the provisions empowering the raising of a rate in aid being left in the Bill. He would rather that there was no limit at all: the guardians were not going to ruin themselves—they were too shrewd for that; but he did trust the Government would not trammel the people by withholding the borrowing powers until the rates had reached 5*s.* in the pound, and then offering them the alternative of relieving themselves by a loan or a rate in aid.

Sir GEORGE LEWIS said, that it appeared to him that the hon. Member for Rochdale was inconsistent either with himself or with those who thought they agreed with him. All that he wanted, he said, was that the people of Lancashire should have power to deal as they pleased with their own property in relieving the poor; and he said that the boards of guardians were composed of sturdy and independent men, who wished to relieve the poor out of their own resources without calling in the aid of the resources of others, and that if Parliament would give them the opportunity of borrowing, they would exercise it at their discretion and thus relieve the poor. That was the course of the hon. Gentleman's argument yesterday. But in the argument which he had just addressed to the Committee, he said that if they gave them the alternative only upon equal terms of borrowing out of their own property for the relief of the poor or of obtaining a rate in aid, they must assume as a matter of course that they would elect for the rate in aid, and that in order to induce them to avail themselves of their borrowing powers they must enable them to do so when the rates had reached 3*s.* or 4*s.* in the pound; because if they could not exercise it until the rates reached 5*s.* in the pound, it was obvious that they would resort to the pocket of their neighbour. These two arguments were entirely inconsistent. If it were true that the guardians really wished to borrow on their own property for the relief of the poor, it was quite unnecessary to hold out any inducements to them; and if, on the other hand, they would go for a rate in aid from their neighbours without an inducement to borrow, it was quite clear they had not the strong desire to borrow which was attributed to them, and that they were not the sturdy and independent persons described; but like everybody else in every other county in England, except Lancashire, if they had the alternative between borrowing on their own property and going to their neighbours, they would prefer to go to their neighbours. They must, indeed, suppose that the boards of guardians in Lancashire were made of different stuff from those in any other part of the kingdom if they were to be expected to prefer taxing themselves when they could obtain a subsidy. It was perfectly clear that unless his right hon. Friend could compel them to borrow, they would avail themselves of the rate in aid. If the House wished that unprecedented course to be adopted, they must take away all alternative power, and say to the manufacturers that they should be compelled to borrow and have no extraneous relief.

Mr. COBDEN said, that the right hon. Baronet must have been in the clouds studying astronomy, and could not have heard his remarks. He never made use of one of the arguments ascribed to him. He did not contend at all for the right of the ratepayers to tax the counties until they had given proof of their desire to do all they could to help themselves. What he said was, that the Government had altered the original Bill, at whose representation he was not aware, because not one of the manufacturing constituencies had asked for it. He believed the noble Lord the Member for King's Lynn had been one of the first to suggest a fixed point instead of a multiple rate. Of course, it was perfectly right that the agricultural districts should exact some conditions before they allowed the manufacturing communities to come on them in aid for the relief of their poor. Instead of insisting on the Government going back to the original point of an excess of two-thirds over the average expenditure, these "sturdy and independent" people in the manufacturing districts professed their willingness to give up a rate in aid altogether, and asked only to be allowed to manage their own affairs in their own way. The object of the right hon. Baronet's remarks, no doubt, was to create a schism between the two parties who had beaten the Government yesterday—the Gentlemen opposite who represent the agricultural interests, and those who represent the manufacturing interests. There was no reason, however, for any such quarrel, for the manufacturers had no wish to come on the tenant-farmers of the Fylde or Ormskirk for the support of their poor. All they asked was to be disembarrassed of these conditions, and to be allowed to help themselves, by borrowing before the rates were raised and the distress increased to such an extent as to inflict ruin upon a large class of the ratepayers.

Sir GEORGE GREY said, the hon. Member had forgotten what had passed with reference to the surrender of the multiple rate. It had been given up, not in consequence of any pressure exercised privately upon the Government, but at the suggestion of the hon. and gallant Gentleman opposite (Colonel W. Patten), and of the noble Lord (Lord Stanley) who, though Member for King's Lynn, had a great interest in Lancashire. They quoted figures that were quite irresistible. They showed, that if the principle of a multiple rate were retained, a parish where the rates, owing to its prosperity, had only been sixpence in the pound, when their rate reached ten-pence would be entitled to come for a rate in aid upon neighbouring parishes where the rates had been perhaps 2*s.* 6*d.* or 3s. in the pound; while a much poorer parish, having ordinarily heavier rates, would not be able to receive assistance till its burdens had been enormously increased. He (Sir G. Grey) did not wish to discuss this question as one of any particular union interest. The practical question before the Committee was simply the second reading of the clause, and that he thought they might without further discussion agree to. It would then be competent for any hon. Member to move amendments to it.

Colonel WILSON PATTEN said, that he had approved, and did now, of a multiple rate, but he yielded, because he understood that the Government were pressed upon that point from other quarters.

Lord STANLEY said, that the suggestion for a fixed rate before the power of a rate in aid was given was owing to a remark made by an hon. and gallant Friend, who said that he should like to have some effective test before the rate in aid came into operation. But he had himself always been of the opinion, for which other hon. Members were now contending, that independent of a rate in aid, and previous to its being brought into operation, a borrowing power should be given.

Sir GEORGE LEWIS said, it was not in consequence of his not having listened to the debate, but because he had listened to it, that he had made the remarks commented on by the hon. Member for Rochdale.

Mr. COBDEN: I did not say you had not listened to the debate. I said you had not listened to me.

Sir GEORGE LEWIS: Well it would be recollected at any rate that he had said there was an inconsistency between the arguments of the hon. Gentleman and of those who thought they were supporting him. Originally the debate turned wholly upon the assumption that the two powers should be co-ordinate, and nothing at all was said respecting the priority to be given to the borrowing power before the rate in aid. The object of hon. Members, as stated by themselves, seemed to be simply to give an alternative power, and that seemed to be generally acquiesced in by the House.

Mr. HENLEY hoped that before the House was called on for a decision, the matter would be made more clear than at present. The whole scope of the argument hitherto had gone, in a faint kind of way, to show the necessity of coming upon a larger area by giving an increased power of borrowing; nothing had been said yet as to what was to become of the unfortunate parishes. The hon. Member for Hertfordshire had clearly seen this and had given to a single parish the power of borrowing, as well as to the union. Suppose the rate in a particular parish got up to 4*s.* or 5*s.*, the parish might be entirely ruined before the union reached the point when it could borrow. If there was to be a borrowing power, it ought to be given as much on behalf of parishes as unions. In some of the Lancashire unions they would find the rates 3*s.*, and in others 3*s.* 6*d.* in the pound, and yet the parish in which the rates were lower might be far more distressed than that in which they were higher, if they did not give some relief to the individual parishes. The hon. Member for the Tower Hamlets had spoken of this being a new Poor Law generally, and he agreed that it would be a much greater innovation in the law to call upon the union to borrow money to relieve the poor without reference to the burdens of any particular parish than had ever before been attempted. In point of fact it seemed to him to be adopting the principle of union rating at once. The word in the Act of Elizabeth was when the parish was "unable," and the utmost which the Government could do was to define what should be "unable." The Bill said, that when the expenditure was 5*s.* in the pound, that should be the test of its being "unable." He did not understand from what took place yesterday that the House was pledged to the same limit for borrowing as for rate in aid. The proposal of the hon. Member for Hertfordshire was generally disclaimed by the Lancashire Members; and not having a definite proposition before them, they were dealing with the matter in a very unsatisfactory way. He did not see why they should drive particular parishes to a state almost of insolvency as regarded a considerable portion of the ratepayers, and compel them to come to a rate in aid, when they permitted unions to resort to borrowing, in order to prevent their coming to a rate in aid.

Mr. AYRTON said, he had induced the hon. Member to alter his Amendment to meet the views which had just been stated by the right hon. Gentleman—namely, that the borrowing power should be exercised by the union when any particular parish was rated up to the amount of 3*s.* in the pound.

Mr. HENLEY: The borrowing power on the rates of the parish or on the rates of the union?

Mr. AYRTON: On the union. He would remind the Committee that, apart from the question of a fixed amount, the deliberate proposition of the Government was that relief should be available when the rates were two-thirds in excess of the average of the previous years. The Return showed that an addition of two-thirds would bring the highest rate in the distressed unions to 2*s.* 2*d.*

Mr. HENLEY: You must take the parish as the first step.

Mr. AYRTON said, the same principle applied. The Government had arrived at the conclusion that legislation was necessary when the rates reached 2*s.* 2*d.*, and he suggested to fix the amount at 3*s.*

Mr. HENLEY said, that the Return was for the unions; and if they looked at the rates of the respective parishes, they would find that many parishes were very much higher than that average.

Mr. PULLER understood the feeling of the House yesterday to be in favour of giving the unions power to borrow, not so much because the unions would prefer borrowing, but because if they did not borrow, they would come on the neighbouring unions and drag them down to the same state of distress and insolvency in which they were themselves; and if the House were still of that opinion it was a cogent reason why the power of borrowing should be put at a lower degree than the power of applying to other unions. The hon. and learned Member for the Tower Hamlets was quite right in saying that the addition of two-thirds on the rates of previous years would not raise the rates as high as 3*s*., and therefore the Bill as originally brought in would, with two or three exceptions, have enabled parishes and unions to have obtained aid, and at an earlier period than they would be able to do under the Bill as it now stood. Under all the circumstances the matter was of easy solution, if instead of 4*s*. in the first and third clauses, 3*s*. was inserted, and the limit for applying for aid was put higher than 5*s*.

Mr. C. P. VILLIERS said, it was true that the Bill as originally drawn did fix a much lower test than that which had been proposed since; and it was with some reluctance, and only after a strong statement of facts, that he had consented to the adoption of a single figure in lieu of the multiple rate. Some parishes were rated very high. In one township the rate was 4*s*. 10*d*.; and under the Bill, as it originally stood, they would not have been entitled to relief until they had exceeded that amount by two-thirds. In the progress of the discussion a great deal of information had been elicited as to the state of the distressed districts, and it certainly did seem that the rate of 5*s*. was too high. Accordingly he had offered to reduce it to 4*s*. Since then an hon. Member had suggested that there was a general impression that there was not to be an alternative to borrow or to receive contributions in aid, but that where a borrowing power was given a lower test would be taken. It had been said that these distressed parishes would rather borrow than go to their neighbours. It was further said that by exercising a power of borrowing the distressed parishes would get relief easier and sooner; and many seemed to think that they ought to have the resource at their command. He could assure the hon Member for Rochdale that the opinion in the manufacturing districts on this subject was not so unanimous as he supposed. He (Mr. C. P. Villiers) never remembered a greater difference of opinion on any question. There was a difference of opinion in the press, and a journal which represented the more advanced party in Manchester, the *Examiner and Times*, said, "that both plans were good; they would be pleased with either; but was it not possible to combine both?" There seemed to be no very strong opinion in favour of any particular mode. He had understood it to be the view of the hon. Member for Rochdale that the test of excess for contribution in aid should be higher than he (Mr. Villiers) had proposed, and that it should be kept at 5*s*. It seemed to him (Mr. Villiers) that the opinion of the house was that there should be a difference between the two tests; and that the test for borrowing should be lower than that for the rate in aid. If he (Mr. C. P. Villiers) had adhered to his original proposition, that of two-thirds in excess of previous years, the test for borrowing would have been lower than 5*s*.; and he had no objection now to accede to the proposition of the hon. Member for Oldham (Mr. Hibbert), that when the aggregate rate in the union was in excess of 3*s*. on the annual rateable value, then they should have the power to borrow. The hon. Member for Hertfordshire (Mr. Puller) had pressed upon the House the point as to the inability of some of the ratepayers to pay the rate, stating that if the rate were at 3*s*., it would practically amount to 5*s*. upon those who could pay. Therefore, as that objection was in accordance with his (Mr. C. P. Villiers's) own original idea, the matter would stand thus—that whenever the guardians should find that the expenditure of the parish should have exceeded 3*s*. in the pound, then that they should be entitled to receive that excess from the common fund; and that whenever the guardians should find the aggregate expenditure of the union to exceed 3*s*. in the pound, then that they should have the right to ask the sanction of the Poor Law Board to borrow; then, as to clause 3, that the rate in aid should remain as it stood, at 5*s*.

Proviso *agreed to;* and added to the Bill as a new clause (Clause D) as follows:—

"If the Guardians of any such Union shall find that the aggregate expenditure in and about the Relief of the Poor of the whole Union for the Quarter ending at Michaelmas or Christmas next shall have exceeded the Rate of Three Shillings in the Pound per Annum on the rateable Value of the Property comprised within such Union, such Guardians may, by Resolution passed at a Meeting held after special Notice in Writing sent to every elected and ex-officio Guardian of the Union, apply to the Poor Law Board for Authority to borrow a Sum of Money sufficient to meet such Excess; and the Poor Law Board may, if they think fit, issue their Order accordingly; and thereupon the said Guardians may borrow such Sum, and shall charge the Common Fund of the Union with the Repayment of the same, by equal annual Instalments not exceeding Seven, and with the Payment of the Interest from time to time to accrue thereon."

Clause 4 *agreed to.*

In reply to Sir JOHN SHELLEY,

SIR GEORGE GREY said, it was proposed to take the report of Amendments to-morrow at the morning sitting; and if the House would permit it, the third reading in the evening.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow,* at Twelve of the clock, and to be *printed.* [Bill 247.]

THAMES EMBANKMENT BILL.

[BILL NO. 239.]—LORDS' AMENDMENTS.

Lords' Amendments *considered,* and *agreed to,* as far as the Amendment in page 24, After Clause 56, insert Clause (D).

Page 24, After Clause 56, insert Clause (D), the next Amendment, read 2°.

SIR JOHN SHELLEY said, that at this point of the Bill he begged to make a few remarks. The members of the late Select Committee on the Bill considered they had some right to complain of the course pursued by the Government. The House would remember that on a previous evening he had occasion to state that in the Select Committee a discussion took place on the proposition to make a street from Hungerford Market to Wellington Street, and strong opinions were entertained by some members that the street was not required—that it would cost a vast amount of money, and that difficulties would arise respecting the way in which the street should be constructed; and it was understood by a majority of the Committee that the House would have the opportunity of discussing whether or not it was advisable that the street should be constructed. The course taken was to propose a clause whereby the Metropolitan Board would be bound not to commence the works of that street until all the other works for which the Bill provided had been completed, and that clause was carried without a division. The other House, which disposed of this Bill in a day, struck out the clause without any inquiry as to the reason for its insertion. The Committee of the Lords did not seem to understand why it should have been put into the hands of the Board; but he was sure, that if the matter had been explained to them, they would have seen the justice of the course taken in inserting it. The scheme of embankment had been brought before the public in a most unusual manner. The plans were not before the public, who knew nothing whatever of what was going to be done; and he was positive that the whole thing would be found to be a "take in;" that this "stupendous undertaking" would turn out to have been much mismanaged; that the trade of the district would be unnecessarily destroyed, and that money was about to be expended without regard to the public benefit. The accusations made against him, of sacrificing the public interests for the sake of currying favour with a noble Duke were beyond his comprehension, as were also all assertions of corrupt motives on the part of the Committee. Whether or not these proceeded from the right hon. Gentleman (Mr. Cowper) or his office, whether the right hon. Gentleman sent notes to *The Observer* as he did to writers on *The Times,* or he did not, it was his (Sir John Shelley's) duty to protest on the part of the public against the way in which this Bill had been promoted. It began in a job, and would end in a job; and in two or three years the public would find out whether their money had been well spent, or their real interests considered. He moved that the House disagree with the Lords' Amendment striking out the clause.

MR. COWPER said, he was not surprised that the hon. Baronet the Member for Westminster should betray the fondness of paternity for this clause, because it was the only one which he had succeeded in introducing into the Bill. The desire of the hon. Baronet was to prevent the making of this street; but the only result of the retention of this clause would be to delay and embarrass its construction, and to inflict hardship and injustice upon the persons whose property had been scheduled, but who would have to wait for the completion of all the other works before they could get paid for it. He believed that the clause was not opposed in the Committee, because of its being thought to be unimportant and insignificant; but after it was passed he received a letter from a tenant of the Duchy of Lancaster, who held considerable property which would be taken for the street, and who complained of the hardship which this clause would inflict upon him. He desired that the subject should be brought under the notice of the Committee of the House of Lords; and that Committee, taking, as he thought, a very reasonable and sensible view of the matter, omitted the clause from the Bill. He did not think the House would be disposed to disagree with the sensible course taken by the Lords with respect to this clause. The hon. Baronet had taken that opportunity of again complaining of the whole scheme. He should certainly not attempt at that moment to enter into a discussion of such a subject on the consideration of an Amendment; but he was prepared to abide by the verdict of public opinion. When the hon. Baronet concluded by saying that this Bill had begun and would end as a job, he must forget that the same observation had been made over and over again with respect to the opposition to the Bill. The opposition to the Bill had begun on personal grounds, and ended in the discomfiture of the hon. Baronet the Member for Westminster and the other opponents of the measure. As to the Bill being a job, he was quite unconscious of anything that could afford the shadow of a ground for making such a charge against the promoters. He had been very much flattered at hearing the measure attributed to his excessive activity. He was thankful to his opponents for their endeavour to throw the responsibility of this great measure on him. But neither he nor the other promoters could have had any personal motive; while, on the other hand, all the opposition—with the exception, it must be supposed, of the opposition of the hon. Baronet the Member for Westminster—had come from interested parties. There was no opposition to the scheme, from first to last, on public grounds. Every petition on which counsel appeared was the petition of an interested party. Every petition against the Bill stated some interference with private property. Therefore, the opposition, which had lasted for six weeks before the Committee, was from beginning to end an interested opposition. How that could be described as a job which was opposed by so wealthy and powerful a party, backed up by the hon. Baronet the Member for Westminster, he was at a loss to know. He thought the case was one in which the hon. Baronet ought to have looked after the interests of his constituents and of the public, instead of private interests. Had he done so, he would have been found on the side of this scheme, which had passed in spite of an opposition directed with much skill, aided by large expenditure and great personal influence.

Mr. AYRTON said, he hoped his hon. Friend the Member for Westminster would not press his Motion. The striking-out of the clause in question would not have any result—it would be of no consequence one way or the other, inasmuch as the Bill was so framed that it would not be compulsory upon the Metropolitan Board of Works to make this new street, and he had such confidence in their discretion that he felt sure they never would make it. Everybody knew that the Committee were unanimously against the street in question; and the Board being aware of that, and being only "empowered" to construct it, they never would think of doing anything so foolish. He must observe that the right hon. Gentleman the First Commissioner of Works was seldom accurate in anything he stated in reference to what passed in that House. No one accused the right hon. Gentleman of having originated the Thames Embankment. That was a scheme of twenty-five years' standing. It was brought forward by a predecessor of the right hon. Member, and had been generally accepted. The only accusation made against the right hon. Gentleman was, that the public work in view being an important one, he had done a great deal to disparage it. It was to the abuse of the embankment scheme his hon. Friend the Member for Westminster referred when he connected the right hon. Gentleman with that work. [Sir John Shelley: Hear, hear!] His hon. Friend referred to all the abuses which the right hon. Gentleman had foisted on an important proceeding. The result of the right hon. Gentleman's interference had been, that the Thames Embankment would cost the public more than £300,000 in excess of the sum that ought to accomplish it. That large amount he had spent in buying off opposition, instead of allowing all objections to come fairly under the notice of the Committee. When the public came to see what the result of that expenditure was, and how large a portion of the improvement had been lost, they would be astonished how all that money had been spent in destroying a great public work. When they saw a long embankment at a level of four feet above high water—when they saw that the prominent feature of the Thames Embankment would be Adelphi Terrace, with its one golden inscription—when they saw the ragged look of the houses, and everything that was hateful along the roadway —when they saw a hideous appearance on a site where handsome buildings might have been erected—when they saw that every opportunity of carrying out a fine scheme had been lost in buying off opposition, which, if not bought off, would have shown the absurdity and extravagance of the right hon. Gentleman's plan, then they would be able to understand how well the metropolitan Members of the Committee, his hon. Friend the Member for Westminster (Sir J. Shelley) and his hon. Friend the Member for London (Mr. Crawford), deserved what they would be sure to receive—the thanks of the inhabitants of this metropolis.

On Motion that the House agree to the Amendment made by the Lords—

"After Clause 56, insert Clause D.—No public landing place, pier stairs, or quay for landing passengers (other than such as shall be substituted for the present Adelphi pier at the site now occupied by that pier), shall be constructed under the powers of this Act on the south side of the said embankment within 150 yards on either side of the steamboat pier belonging to the Charing Cross Railway Company at Hungerford."

Sir JOHN SHELLEY said, that in asking the House to disagree to this Amendment he could not be supposed to be advocating the cause of great men. A large proportion of his constituents travelled in omnibuses and steamboats. He protested against the clause, in the interests of the public. Everybody knew that it was in order to buy off the opposition of the Charing Cross Railway Company that such a provision had been made, and he for one objected to a proposal which would have the effect of preventing the Metropolitan Board of Works from erecting—however necessary in the interests of the public they might deem it to be to do so—a landing place within 150 yards of the railway with a view of facilitating access to the steamboats, which were the most popular mode of conveyance in the metropolis. The right hon. Gentleman (Mr. Cowper), he might add, must have been very much pressed for arguments when he found himself obliged to resort to *tu quoques* such as those in which he had just indulged; but he felt assured that when the real merits of the case were thoroughly understood by the public, as they no doubt one day would be, they would perceive how completely their interests had been neglected and frittered away by a mistaken Royal Commission and an incompetent Board of Works.

Mr. COWPER said, he was amused to hear the hon. Baronet for the first time defending public against private interests; but he was as unfortunate in his opposition now as he had been on former occasions when the measure was under discussion. The railway company had represented to the House of Lords that it would be an injustice to them if, immediately after they had constructed a new pier at Hungerford, the Metropolitan Board should have power to put another pier by the side of it, and it was upon this representation that the Lords inserted the clause. The Bill, however, left the powers of the Conservancy Board, in reference to the construction of piers and landing-places, entirely untouched. It seemed to him that the Lords were right in the conclusion which they had come to, and he should therefore support their Amendment.

Mr. AYRTON said, it was a mistake to suppose, that if the clause were allowed to pass, the Thames Conservancy Board would have all the powers to erect piers which they previously possessed. The Bill conferred on the Metropolitan Board the power of making piers and landing-places in connection with the embankment. That power would supersede the power now possessed by the Thames Conservancy, and the practical effect of the clause would be to give the Charing Cross Railway Company a monopoly of making landing-places within a distance of 150 yards on either side of their line.

The SOLICITOR GENERAL did not think that there was any doubt as to the powers of the Conservancy Board being left untouched, because the Bill contained a clause which said, that except as specially provided, all the rights of the Conservancy Board should be saved.

Mr. AYRTON: But there was a clause also which enacted that the Metropolitan Board should have the power to purchase and pay for any Conservancy rights which they should interfere with; and enabled them to construct the piers and landing-places in connection with the Thames embankment. Surely this would affect the rights of the Conservancy Board.

The SOLICITOR GENERAL adhered to his opinion that the rights of the Conservancy Board remained untouched; and moreover, the clause inserted by the Lords simply said that no pier should be constructed under the powers of this Act, and did not at all interfere with totally different and independent powers.

Lords' Amendment *agreed to.*

Mr. AYRTON proposed to add to the clause these words—

> "Provided always, that this provision shall not affect the powers of the Board of Conservancy to construct any pier or landing-place in connection with the said embankment."

Amendment proposed to the said Amendment,

> By adding at the end thereof the words "Provided, That this provision shall not affect the power of the Board of Conservancy to construct any pier or landing-place in connection with the said Embankment."

Mr. COWPER thought that such an addition was altogether unnecessary.

Question, "That those words be there added," put, and *negatived.*

Amendment *agreed to.*

Mr. DARBY GRIFFITH inquired of the Solicitor General whether clauses having been added after the signification of the Royal Assent had been given, it was necessary that the same form should be again gone through; and whether the Crown had any veto in the matter, as the Bill affected Crown property?

The SOLICITOR GENERAL said, the hon. Gentleman's question had no reference to the matter before the House. The Crown had no veto at all except that which the constitution and the usage of Parliament gave to it. In the proceedings on this Bill, the usage of Parliament required that the consent of the Crown should be signified, as the revenues of the Crown were concerned. That was done; and although other clauses were added to the Bill, it was not again necessary.

Subsequent Amendments *agreed to.*

JURIES BILL.—LORDS' AMENDMENTS.

Order for the consideration of Lords' Amendments to Commons' Amendments to Lords' Amendments read.

On Amendments made by the Lords to Clause 2 (Exemptions from serving on Juries),

Mr. CRAUFURD said, he understood the Amendments to be a second re-insertion by the Lords of Amendments twice struck out by the Commons. Medical men, whether physicians or surgeons, were properly exempted from service on juries. He did not see that the same convenience applied to pharmaceutical chemists. It had been urged that inconvenience might arise in the country from the absence of the pharmaceutical chemist. His reply was, that on application being made by a chemist so circumstanced, no Judge of Assize would ever turn a deaf ear to it. He moved to disagree to the Lords' Amendments.

Mr. CRAWFORD, on the contrary, thought the House ought not only to agree to the Amendment, but to include in the exemption the United Society of Chemists and Druggists in England and Wales; and if the forms had permitted, he should have proposed a Motion to that effect.

Sir DE LACY EVANS said, as he Lords' Amendment had been moved by Lord Wensleydale, who had devoted much attention to the subject, he hoped it would be agreed to.

Sir GEORGE LEWIS remarked that the Commons differed from the Lords with regard to the exemption of veterinary surgeons and pharmaceutical chemists, one of which they had struck out while they retained the other. Physicians and surgeons were properly exempted, on the assumption that it was their individual skill that was required, and that this could not be supplied by any substitute. But with regard to the chemist, every one knew that prescriptions could be made up by a skilled assistant. If the pharmaceutical chemist were now admitted to exemption, next year a claim would be urged on the part of a large party of chemists not pharmaceutical.

Mr. BARROW said, he had heard no reason against the exemption, and in the interest of the poor, whose prescriptions were made up by this class of men, advocated this exemption.

Sir GEORGE GREY adhered to the opinion which he had before expressed and upon which the House had acted—namely, that the case of the pharmaceutical chemist did not fall within the principle upon which medical men enjoyed this exemption. If pharmaceutical chemists were exempted, there would be still stronger grounds for exempting chemists and druggists in small country towns.

Mr. SCLATER-BOOTH supported the exemption, which would only carry one step further, in favour of a very limited class, the immunity already granted to medical men.

Motion made, and Question put,

"That this House doth insist upon its disagreement to so much of the Lords' Amendment in page 1, line 13, as their Lordships insist upon."

The House *divided* :—Ayes 12; Noes 45: Majority 33.

Resolved,

That this House doth not insist upon their disagreement to so much of the said Amendment upon which the Lords insist, and agree to the consequential Amendments made by their Lordships to the said Bill.

House adjourned at Eighto 'clock.

HOUSE OF LORDS,

Friday, August 1, 1862.

Minutes.]—Public Bills.—1ª Union Relief Aid.

3ª Charity Commissioners' Jurisdiction; Inclosure (No. 2); Polling Places (New Shoreham, &c.); Poor Removal; Lunatics Law Amendment; Militia Pay; African Slave Trade Treaty (No. 2).

UNION RELIEF AID BILL.

FIRST READING.

The Duke of NEWCASTLE, in moving that this Bill be read a first time, said, he hoped that under the circumstances their Lordships would not object to sit to-morrow, at half-past one, for the purpose of reading the Bill a second time *pro formâ*, reserving discussion for the Motion to go into Committee on Monday. He begged to give notice of his intention to move the suspension of the Standing Orders, so as to allow the Bill to be read a third time on Monday, although Her Majesty's Government would not press it, if there was the smallest objection to that course.

Bill read 1ª. [No. 248.]

COTTON SUPPLY (INDIA).

PETITION. ADDRESS FOR PAPERS.

The Earl of SHAFTESBURY, in presenting a Petition from the Cotton Supply Association in favour of the Madras Irrigation and Canal Company's scheme for the Construction of a Canal connecting the District of Bellary with the Port of Madras, with a view of assisting the Cultivation and Export of Cotton in that District, and to move an Address for "Papers received since the 21st July, 1861, relating to the Godavery," said:—My Lords, I shall not detain your Lordships with any preliminary observation upon this important subject, but I may explain that I have joined the presentation of this Petition with the other matter of which I have given notice, because the works of the Godavery and other kindred works must have an immense influence upon the supply of cotton from India. Last year I had the honour to submit a Motion in relation to the works of the Godavery, and I wish to point out the progress which has been made since that time, as well as the effects produced, and likely to be produced, upon the general state of India. Only the other day I received an account of the appearances presented at the great port of the river in these terms—

"Cocanada is the great port of the Godavery, and as the river is opened up it will increase in importance and extent. We found sights very unusual in native seaports, iron steamers on the stocks, building or fitting out for river and coast. The noise of the hammer and anvil, the beat of the steam-tug and river-dredge, the crowds of artisans moving to and fro, recalled the dockyards of home. The river in former years (these works were begun in 1845) used to run bodily into the sea, and leave little behind it but desert. In the time of the freshes the waters would flood fiercely down, and sweep all before them. But the genius of cotton converted the demon torrent into a ministering angel, bringing mercy to millions. The whole delta is watered, the people paying the Government 2½ rupees an acre for irrigation; and you may imagine the dimensions of this blessing both to people and rulers when I tell you that the water-tax alone yields a revenue of from five to six lacs of rupees. The traffic on these water-paths engages 8,000 boats of different kinds. All life circulates through canals here. You hardly see a horse or land conveyance. One thing I have remarked ever since we landed at Cocanada, the absence of poverty; every native seems well to do. The villages appear to be full of comfort and this world's substance, so far at least as we have come. As we traversed the waste lands that lie between the villages, vast in extent and enriched by the deposits of the river, I could not help moralizing upon the wisdom of building our hopes upon foreign soil for cotton supply, and begging that from America, with the chance of a denial, which we may have in continual abundance from our own India."

I have to express my very sincere thanks, and the thanks of tens of thousands, to the right hon. Baronet the Secretary of

State for India for the interest which he has taken, and the vigorous despatches which he has written, in urging on these works. I have received only this morning a letter from a friend of Captain Haigh, the engineer-in-chief of the works, in which he says—

"I have a letter from Captain Haigh. He had advertised to carry goods and passengers from the 15th of last month (*i.e.* June) from Chanda to Cocanada by Government boats, and had 240 tons of cotton ready to begin with."

It is clear, that if vessels were sent out, a vast quantity of cotton would be immediately brought home, since we find that at one point of delivery there will soon be 240 tons, or 14,000 bales, ready for export. We may look, I think, with some consolation to the state of things in the Dharwar. Only a few miles of railroad were wanting to complete communication from the interior to the coast, by which means the present expensive mode of transit on bullocks' backs to Bombay would be superseded. I have heard that in India there are about 6,000,000 bales of cotton ready for market. The difficulty is that a great deal of it is in places inaccessible by reason of the want of roads, canals, and railways; but when those means of intercommunication exist, India will pour forth more cotton than we can work up, if the amount of machinery employed were trebled. At the present moment, when we are suffering from a dearth of cotton, I believe there is more cotton lying idle in India than would keep going all the mills in Lancashire. In the report of that distinguished officer, Colonel Baird Smith, upon the condition of the North West Provinces, he observes upon the evil resulting from the want of inter-communication, and he says—

"So miserable, however, are the means of inter-communication in many of these districts of supply, that while in one bazaar famine prices of four rupees per maund might be ruling, in another, not thirty miles off, the price would be but about one rupee eight annas for the same quantity; yet no flow from the full to the exhausted market could take place, because roads were not in existence, and means of carriage unknown. This state of things cannot be too soon remedied. . . . Within the famine tract itself, however, all is not bad. On about three-fifths of the ordinarily cultivated area the crops have entirely failed; but the remaining two-fifths have yielded crops, which, having been raised almost entirely by irrigation, are in these cases magnificent, and which generally have been found, by the actual results of the harvests, to be rather above than below the average yield. . . . . Turning now to the districts of supply, it will be found that several causes act to reduce the benefit that farmers obtain from the high prices in the famine tract markets to a very considerable degree. It is only when good means of communication and plentiful supplies of carriage exist that the importer can afford to give the producer a high price, and yet make his own fair profits. . . . . The chief consumers of English cloths here are all classes near to open and easy lines of communication, be they by land or water; a comparatively small section of agriculturists, being the upper grades of the class, at a distance from such communications; a very large proportion of the inhabitants of towns and cities everywhere, and, of course, the whole of the European community. The mass of the agricultural and the poorer non-agricultural classes have scarcely yet become the customers of Manchester at all, though it is merely a question of time and internal improvements of roads and rivers when they shall become so."

I turn to the report on the famine in the North Western Provinces by Colonel Baird Smith. He says, speaking of the various subdivisions—

"First, the western lies wholly on the right bank of the River Jumna. It includes the Cis-Sutlej districts of Umballar and Thanaesur, within parts of which the want of water has told very severely. The richly-irrigated district of Paneeput and the northern (Pergunnah) subdivision of the Delhi district have virtually escaped all injury, by reason, firstly, of their being traversed by the Western Jumna Canal; next, of the continued drought having relieved them from the broad areas of swamp by which they are ordinarily infested, and having turned these useless lands into productive fields . . . . and the rivers sometimes run as wild as those of the Pontine marshes or the Tuscan Maremma."

In respect to a good district, which did not suffer severely, he says—

"All its drainage is gathered into definite channels; wastes of swampy land are rare; the great boundary streams receive and carry off its surplus waters, and, excepting in the extreme north, water is usually in its right place as the slave of man, and not his tyrant. . . . . . The most characteristic feature of this section in reference to irrigation, however, is the large canals by which it is traversed. These have not reached a tithe of the development that waits them, as the various channels under construction are brought to completion, although even now in their incomplete state their action for good, both as insurances against loss of produce and stimulants to increased production, has been energetic in the highest degree. . . . . . So plentiful are the means of irrigation that many miles may be travelled in each of the Doab districts with rich crops on both hands. So earnest and active have the industrious classes of cultivators been that all their usual appliances for culture have been strained to the utmost. The peculiar call of the husbandman at the well was to be heard as continuously during the night as during the day. No men on earth could have faced a great calamity with a sturdier resolution, or, on the whole, with better success; for, by the timely and generous aid of Government in lightening helpfully the pressure of its public demand upon all such villages as really needed that aid, there has been as yet very little collapse among proprietary communities of the better farming tribes or castes."

He then proceeds to show the effect produced by irrigation in the districts of the Doab, between the Ganges and Jumna. He says—

> "Many subdivisions of them which are traversed by canals, and have long used canal irrigation, have doubled their annual gross produce since the last settlement."

With regard to the value of the loss of agricultural produce, he says—

> "If the aggregate of these losses throughout the famine tract be taken at three millions sterling, it will, I believe, be under the truth."

He speaks of the benefit derived from canal tracts, and says—

> "But for the existence of these fruitful canal tracts which run through the famine districts, as rods of iron run through tottering buildings, bonding and strengthening the community, these 160,000 people must have been supported by charity."

He goes on to say, with respect to the Agra division, that in consequence of the famine of 1837-8—

> "Government has received from the districts forming it less revenue, by an aggregate amount of the almost incredible sum of 1,32,85,000rs., or £1,328,500, than it would have done had it been possible by any expedients to have warded off the catastrophe."

Speaking of Allahabad, he states—

> "The division has not yet completely recovered itself, and its revenue is still about 2,00,000rs., or £20,000 per annum, below the standard previous to the famine."

Now, let us see what may be done by irrigation. In respect to the irrigated estates in the Meerut district, he states—

> "The annual value of the gross produce of one estate has risen 123 per cent; another, 98 per cent; a third, 68 per cent."

Here is another striking proof, showing the progress of irrigation in twenty years. It is a comparative statement of villages irrigated from the Eastern Jumna Canal in the Saharunpore district, at settlement in 1840-1 and in 1860-1, and it appears that the annual rental on seventeen estates had increased in this time 130 per cent, and the Government revenue had increased 40 per cent. The civilizing and political effects are remarkable. He says—

> "It is, of course, impossible for any race, or tribe, or clan, whatever its hereditary feelings or habits may be, to resist such fascinations as these; and the prospect of so doubling or more than doubling profits, while taxes continue unaltered, is an irresistible inducement to industry. Be the cultivators good or bad, be they on the one hand Jats or Aheers, or Koormees, or the like, or on the other hand Goojurs or Ranghurs, or Rajpoots, or the like, they are sure to yield to the inviting prospect; and while the one indefatigably extend their careful culture, the other break up their ancestral jungles, and plant wheat, where of old they pastured stolen cattle. I have repeatedly, in my own limited experience, turned tracts of country, notorious for the lawlessness of their people, into broad sheets of cultivation, by the simple expedient of running irrigation channels through the hearts of them."

Now, for the effect produced by the Eastern Jumna Canal. He states—

> "In estimating its ultimate value as a guarantee against the effects of drought, I would take at least 850,000 acres, or about 1,320 square miles, as the total measure of its protective influence."

Thus your Lordships could judge of the great amount of blessing which, by a moderate expenditure, had been conferred. I will now refer to what is stated with respect to the Ganges Canal—

> "The area protected from the effects of drought would therefore be about 1,002,264 acres, or 1,560 square miles. At this time none of its great branches were in action. All expenditure on these had of necessity been suspended under the financial pressure following the mutinies. . . . When completed, the irrigated area will rise to 1,471,500 acres, and the protective influence of the canal will be felt over a total area of 4,414,500, or in round numbers 4,500,000 acres. . . . The agricultural property dependent on the Ganges Canal already amounts to very close on a million and a half sterling of annual value. It will rise in time, if the agricultural community find they can rely implicitly on the virtual permanence of the supply, to fully six millions."

And he adds—

> "Experience in Hurriana, which was an absolute desert at the beginning of this century, shows conclusively how sure this effect is; and the existence of the Western Jumna Canal in that region has called into being, it may almost be said, both population and culture."

On this point I might produce evidence indefinitely. Wherever irrigation is effected, the condition of the people is greatly improved in consequence of the increased produce of the land; and this is being felt every day, even by those who hold shares in railways; for as the condition of the people is bettered, it is found that the number of travellers is increased. Colonel Baird Smith says—

> "Such a volume duly distributed, as the Jumna Canal supplies were in 1860-1, would be found sufficient for an area of irrigation of about 900,000 acres, and would insure against the effects of drought a tract of country having a total area of not less than 4,220 square miles."

With respect to the Cis-Sutlej deserts, and what the proper use of the Sutlej water would effect, he states—

> "The question here is, therefore, not to im-

prove agriculture, but to create it; to enable an extensive and capable province to become, by its increased resources and the progressive improvement of its inhabitants, a source of strength and revenue to the State, instead of being, as now, a burden and weakness."

Well, this being the state of things in all these districts which are brought under the influence of irrigation, it is no wonder that the Madras Irrigation Company should be desirous to extend throughout their district the same blessings. Bellary is singularly favourable to the growth of cotton, and in a remarkable report Captain (now Lieutenant Colonel) Rundall thus writes to the Madras Government, under the date of February 1, 1860—

"No one who has travelled through the northern talooks of Bellary and Kurnool could fail to be struck with the dreary aspect of the country; but to one like myself, coming from an abundantly irrigated district, the contrast between the luxuriant garden of Rajahmundry and the treeless and waterless plains of Bellary was most marked and painful. To an eye accustomed to the sight of an active and busy population, the almost total absence of life in the villages one passed through caused it to resemble more the country of the dead. The few ryots I met on the road to Kurnool pointed to their unploughed fields, and asked where the means of defraying the Government demand was to come from; and when I explained the probability of their soon being called upon to assist in the excavation of channels from the Toombuddra, they brightened up, and said, 'If such be the case, we shall not have to leave our homes to seek a livelihood in another and a better country.' This people, poorly clad, poorly housed, poorly fed, without water in summer, without fuel in winter, and exposed to periodical visitations from famine, present as pitiable a picture of the results of an unimproved country as can well be imagined. With the opportunity and means of rescue in our hands, can the responsibility be incurred of withholding them? Having myself, during the last sixteen years, seen the result of similar works in raising an equally depressed population from poverty to plenty, and from a listless apathy to an wholesome activity, I cannot conscientiously recommend that this portion of the project should be laid aside; but, on the contrary, feel it my duty earnestly to urge its execution. . . . The expenditure of the Company's money will not only of itself afford temporary relief and create a stimulus for exertion, but every rupee expended will be productive of permanent benefit; while it is almost certain, that if their expenditure is restricted, the Government will, as in 1854, have to incur a considerable outlay on their own account."

Well, my Lords, the petition of the Cotton Supply Association states, that by their own agents they have made due inquiries as to the probable result of the irrigation system if carried into full operation in Bellary, and they proceed to state that the Madras Irrigation Company have offered to construct a canal which should place the district of Bellary in direct communication with the Coromandel Coast; and not only that, but they are prepared to introduce a new principle—that of expending their capital without a guarantee—

"The petitioners believe it to be most desirable that the district of Bellary should be, by means of a navigable canal, placed in direct communication with the Port of Madras, with a view to the shipment of cotton to England. The petitioners have heard with considerable satisfaction, that the Madras Irrigation and Canal Company have offered to construct the canal not only at their own risk, without asking for or receiving a guarantee of interest upon the requisite capital, but with the understanding that the Government of India shall participate equally with themselves in all surplus profits from irrigation after they shall have received 12 per cent therefrom upon their outlay. The petitioners submit that an offer like this should be readily and cordially assented to, and the Company be directly supported and encouraged by the Home Government of India."

They desire not to be dependent on India for a supply of cotton any more than on America. What they desire is the desire of every man in England. From bitter experience we have learnt how necessary it is that cotton should be grown in every clime and on every soil that may be capable of producing it. I am convinced that the finest cotton can be grown in Jamaica, in Queensland, and perhaps much nearer home, in the Holy Land and along the sea shore of Palestine, and I believe it is now agreed that we should have cotton from whatever place we can get it. All that the petitioners ask is this, that private enterprise may be allowed free scope and free action in its own department. It would be impossible that Government should undertake all the great works that would be necessary. It could not bestow its time upon them, nor would it have the capital that would be required. I believe, that among the first despatches presented to Parliament this Session was one in which the Calcutta Government informed the Government of Madras that they should be happy to place at the disposal of the latter eight lacs of rupees to be distributed over a period of three years. But what are eight lacs or £80,000 for such works as are required? Why, the company would expend in six months quite as much as the Government of India would expend in as many years, and the works would be well done too, and would confer a far greater amount of benefit on the population. The proposition that is now made is no new proposition. It has been already considered by the Government of India. Here is a despatch from the Madras Government dated December 6, 1860, which touches very forcibly on the subject, and gives the strongest advice that private enterprise should be permitted to take the works in hand. It says—

> "Seeing the impossibility of effecting the Godavery works out of the budget allotments, and the apparent hopelessness of funds being available from other sources to such an extent as to admit of the works being completed within any reasonable period, we have come to the conclusion that it would be better for the State and the public to commit to private enterprise an undertaking which we cannot ourselves prosecute with the vigour and promptitude which its magnitude and importance merit. The work is of far too great importance, both to India and to England, to be undertaken in the petty and dilatory manner inevitable in the present state of the Indian finances; and, even to effect it thus, funds can be obtained only by restricting expenditure on other works highly profitable to Government, and highly important to the people of the presidency; whereas, by resorting to private enterprise, the navigation of the Godavery will be secured in much less time than if the work be reserved for execution by Government, and the money which in the latter case would be spent on it in small sums for years to come would be available for the completion of other valuable projects, as, for instance, the Godavery, Kistna, Nellore, and Palar Annicuts, works which are now being carried on inefficiently and slowly, Government also as a consequence losing much of the profits from their past heavy outlay on them, merely because, from want of funds, they are not completed."

Such is the opinion of the Madras Government. We have also the opinion of the late Lord Canning, giving us another proof of the great reach of mind, the great capacity with which he governed that country, and the intelligence which he brought to bear upon all these subjects. In a despatch dated the 27th of December, 1860, speaking of the Godavery, Lord Canning says—

> "I am entirely in favour of making this work over to a private company. I think that it may be done with much less risk of future difficulty than attaches to the making over of irrigation works. Contact between a private company and wealthy traders and carriers of merchandise is more likely to be manageable, and to manage itself, than relations between such a company and village communities of ryots, or single pauper cultivators."

Lord Canning saw the danger there would be from bringing the ryots and smaller holders of land into contact with capitalists of large means, such as the Irrigation Company, the perpetual squabbles that would be likely to ensue, and the oppression that would necessarily result. He therefore proposed to obviate that danger by means of a consolidated assessment on the ryots, the Government taking the land-tax while the water-tax should be paid to the Irrigation Company. No doubt these things are very difficult in themselves, and years, perhaps more, must elapse before we are enabled to derive advantages from exertions of this kind. But they may prevent, as far as human exertions can, such a calamity as we are now suffering from, befalling us again. There is one thing which we must impress upon the minds of those who talk of "demand and supply." All that is very well when they have to deal with the civilized nations of Europe; but "demand" according to our European notions is not comprehended in India. The ryots do not comprehend it. Your demand in India must be an effective demand—the demand of agents with money in their hands, calling on the ryots and offering them silver rupees in exchange for cotton. With such a demand as that, I have no doubt that in the shortest possible time cotton would be derived plentifully from India. My Lords, I do hope and trust attention will be given to this matter, and that everything will be done to encourage private enterprise. I believe there never was such a field for improvement. Every one that goes to India says that the change that has taken place in that country in the social condition of the inhabitants, but, above all, in their domestic condition, is quite marvellous. I trust, then, that private enterprise will be encouraged; that much will be done by the intelligence, the zeal, and the spirit of a large portion of our manufacturers, by the wise measures of our Government, and, above all, by the blessing of Almighty God for the promotion of that work which cannot fail to be attended with benefit to so large a part of the human race.

THE DUKE OF ARGYLL: My Lords, I am very glad that even at this period of the Session my noble Friend has brought this subject under our consideration. The subject is one of great importance, but there are great difficulties connected with it. My noble Friend must be well aware of the alarming excitement which has prevailed during the last few months with respect to the supply of cotton. Very many schemes have been urged and pressed upon the Government to which no encouragement could be given. The schemes to which I allude are those by which, in one form or another, the

Government should become the cultivators of cotton, or the parties to supply that article or guarantee its price. Those plans have been considered with attention by the Government, and have been as deliberately rejected—not on theories of political economy of doubtful application, but on the plain common sense principle, that the moment the Government interferes in such direction, they check, or perhaps entirely stop, that private enterprise to which, after all, we must in the main look for a supply of cotton as of all other commodities. I would observe that it is only of late years that the principle of private enterprise has been introduced in regard to public works in India. All those public works in reference to which we have heard such interesting facts from my noble Friend, were undertaken by the Government out of the public funds. I think it was so late as 1859, when Lord Stanley held the office of Secretary of State for India in the Government of Lord Derby, that direct encouragement was for the first time given to private enterprise engaged in public works in India. At that time I had the honour to address your Lordships on this subject, and I expressed a doubt as to whether it was expedient that the Government should guarantee to private companies any specific return for their capital; because I think, my Lords, that the giving of a guarantee of that kind to a particular company has an injurious effect on companies which have not such a guarantee. If you give such an advantage to one company, you cannot expect others to come forward and undertake public works on unequal terms. Therefore I think that the giving of guarantees to companies is a dangerous principle. At the same time, I think the step taken by Lord Stanley, with reference to the very Company on behalf of which the petition has been presented to-night, was a wise one, because, under the peculiar circumstances of the country, it was necessary to encourage such companies in the first instance. Well, my Lords, Lord Stanley—I believe rather against the opinion of the Madras Government at the time, who adhered to the old principle that such works as the Company proposed to undertake ought to be undertaken by the Government, and not by a private company—agreed to guarantee a certain fixed rate of interest to this Company, but on the distinct understanding that the sum to which the guarantee was to extend should not exceed £1,000,000. It was afterwards found, that owing to the estimates having been drawn up in a loose manner, or to the difficulty of ascertaining the exact amount that would be required, or to some other cause, the works would require a considerably larger sum than Lord Stanley had agreed to as the *maximum*. Accordingly, the Company, supported by the Madras Government, came to my right hon. Friend Sir Charles Wood, and asked him to extend the guarantee to a sum of £300,000 beyond the original £1,000,000. To that application my right hon. Friend returned a positive refusal. To show your Lordships how distinct was the understanding on which Lord Stanley had granted the guarantee, I shall quote two short passages from that noble Lord's answers to applications made to him on that subject. In one of his communications he says—

> "Although grave objections are urged by the Government against committing to private enterprise the construction of works of irrigation, Lord Stanley is nevertheless disposed to make trial of that mode of procedure; but he considers it desirable to confine the experiment in the first instance to a single scheme, the estimated cost of which shall not exceed one million sterling."

To a subsequent application he makes this reply—

> "Another point on which you remark is the proposed limitation to one million sterling of the capital on which a *minimum* interest of 5 per cent is to be guaranteed. A sum more proportionate to the prospective scope of the company's undertakings would, it is urged, materially facilitate their operations, and attention is drawn to the fact that two millions is the amount specified in the company's Act of Incorporation, which has received the sanction of the Legislature. While Lord Stanley admits that it may be desirable hereafter to increase the capital to the full amount which the company are empowered to raise, he considers it expedient to limit the present experiment to an outlay of £1,000,000, reserving the question of granting a guarantee upon any further increase until the benefits resulting from the work have been ascertained."

I think, my Lords, that my right hon. Friend Sir Charles Wood was wise in refusing to extend the guarantee—in limiting the experiment to the sum already agreed upon. In proof of his having acted wisely, I may observe that his refusal elicited from the Company a second proposal, to the effect that they would themselves expend the additional sum without a Government guarantee. I hope, therefore, that a satisfactory settlement between the Government and the Company will be come to before long, and I am glad that no delay in the works themselves is likely to arise from the negotiations to which I have referred. The noble Earl who has just sat down has expressed a strong hope as to the productive power of India in the article of cotton. I do not say that he has overstated the grounds for that hope, in which I participate to a large extent. With the single exception of corn, cotton is the article which can be grown over the largest surface of the earth—I mean having reference to the difficulties of soil and climate. The one condition that has enabled one portion of the earth to overcome others in the production of cotton is not a condition of soil or of climate, but a peculiar condition of labour. That circumstance has enabled the Southern States to beat all the world in the production of cotton. He must be a bold man who would speculate with any confidence as to the issue of the great contest now going on in America; but I think there is one thing quite clear—that the contest, however it may end, will not leave the condition of things with regard to labour in the Southern States as it was before the war. Whether the Government of the United States succeed in putting down the struggle of the South, or the Southern States succeed in making themselves independent of the Union, the result of the war will materially interfere with the operations of those who, previously to the present events, depended exclusively on the buying and breeding of slaves. Next to the Southern States of America, I believe British India affords the field most favourable for the growth of cotton, not only as to climate and soil, but also in respect to the condition of labour. My noble Friend has mentioned Africa, the Holy Land, and other places in which cotton may be grown. In some of those places the condition of labour is adverse to it; but when the communications are opened in India, the condition of labour is such that no other country in the world can so favourably compete with the Southern States of America. I have great hopes that in a few years, when the resources of India shall have been more developed, we shall depend on that country to a much larger extent than we have hitherto depended on it for our supply of cotton. There are no official accounts at the command of the Government, and no machinery to enable them to afford accurate information on the subject of the present cotton supply; but I have heard from private sources that the quantity of that article on its way to this country far exceeds the quantity sent over at this season in any former year. There can be little doubt, my Lords, that one of the results of the war in America will be, that we shall hereafter depend more than we have hitherto done on the British dominions for the supply of cotton necessary for the manufactures of this country.

Lord LYVEDEN said, he did not think that their Lordships could so far concur in the prayer of the Petition as to testify their approbation of the particular scheme to which it had reference; but he thought they might testify their approbation generally of encouragement being given to those works which had for their object the improvement of the communications in India. His noble Friend (the Duke of Argyll) had said it was only lately that the principle of private enterprise in India had been acknowledged: but was that so? He believed it was not; and that it was owing to other causes that no one had had the courage to undertake works such as those referred to in the Petition presented by his noble Friend. For five years the Manchester manufacturers were pressing for an increased supply of cotton from India, and urging against the Government complaints, some of which were just, and others unjust; but although, when the price of American cotton was high, they raised this outcry for cotton from India, when it fell they were unwilling to take the Indian cotton. The whole question was one of price; and if these gentlemen had displayed as much energy with regard to obtaining cheap cotton to reduce the price of the raw material, as they did to obtaining cheap food to reduce the rate of wages, it would long ago have been settled. Shortly before he left the India office he promised this guarantee to the Madras Irrigation Company, greatly against the opinion of the East India Directors of that day, and he was very sorry that during the last three years nothing had been done, and that the time had been spent in a voluminous correspondence between the Company and the Department. He could himself see no inconvenience in allowing this Company to have one part of its capital guaranteed, and the rest not; and he hoped that not only would no further obstacles be thrown in the way of this Company's extending its capital without a guarantee, but that encouragement would be given to the formation of other companies under similar circumstances. If this question was not settled by next year, it would be desirable both that it and the whole constitution of the government of India should be referred to a Committee.

EARL FORTESCUE said, he did not rise to prolong the discussion; but he did not wish it to go forth to the world on the authority of the noble Duke (the Duke of Argyll) that slave labour was cheaper than free labour, and that it had been owing to slave labour that the Southern States of America had surpassed the rest of the world in the production of cotton.

THE DUKE OF ARGYLL said, he was sorry to be understood as stating that slave labour was, under all circumstances, more profitable than free labour. What he meant to have said was, that there was something in the condition of labour in the Southern States which had enabled them to grow cotton more successfully than any other part of the world.

THE MARQUESS OF CLANRICARDE regretted that the noble Duke had not been able to give their Lordships more definite information as to the result of the communications between the Secretary of State for India and the Madras Irrigation Company. Provided that the guarantee was confined to a capital of one million, he did not see that any one except the company could have any interest in the question, whether they expended more than that amount upon the construction of the works. No doubt, it was quite right that all such undertakings as this should be left to private enterprise; but in many cases it might be necessary that the Government should give a guarantee, in order to bring private enterprise into play.

THE EARL OF SHAFTESBURY wished it to be distinctly understood that he had no connection whatever with the Madras Irrigation Company. He had referred to it merely as an illustration of what might be done by regular organized effort.

Petition to lie on the table.

Address for Papers *agreed to.*

MERSEY, IRWELL, &c. PROTECTION BILL. [BILL No. 105.]

CONSIDERATION OF COMMONS' AMENDMENTS.

Commons' Amendments *considered* (according to Order).

THE MARQUESS OF CLANRICARDE *moved*, to disagree to certain of the Commons' Amendments relating to the tributaries of the Irwell and Mersey above their junction.

On Question, "Whether to agree to the said Amendments?" their Lordships *divided*:—Contents 4; Not-Contents 6: Majority 2.

Resolved in the *Negative.*

Two of the Amendments *agreed to*, with Amendments; the remaining Amendments *agreed to*; and the Bill, with the Amendments, returned to the Commons.

POLICE AND IMPROVEMENT (SCOTLAND) BILL—[BILL No. 210.]

Commons' Reasons for disagreeing to certain of the Amendments made by the Lords *considered* (according to Order); on Question, Whether to insist on the Amendments to which the Commons disagree? *Resolved* in the *Negative*; and Message sent to the Commons to acquaint them therewith.

House adjourned at Eight o'clock,
till To-morrow, half-past
One o'clock.

HOUSE OF COMMONS,

Friday, August 1, 1862.

MINUTES.] — PUBLIC BILLS. — 3° Union Relief Aid; Confirmation of Sales, &c.

UNION RELIEF AID BILL—[BILL No. 247.]

CONSIDERATION. COMMITTEE.

Order for Consideration, as amended, read.

SIR GEORGE GREY said, it was doubtful whether the Amendments of which his right hon. Friend (Mr. Villiers) had given notice could be made on the Report. He would therefore move that the Bill be recommitted.

Motion *agreed to.*

Bill *re-committed*, "to consider Amendments to Clauses 1, 2, and 5, of which notice has been given."

Bill *considered* in Committee:—

Clause 1 (Guardians may charge Cost of Relief in Parishes in excess of *5s.* in the Pound on the other Parishes in Union).

On the Motion of Mr. C. P. VILLIERS, Amendments were made in this and the following Clauses, by which the cost of relief at which the power of charging the other parishes in union was altered from *5s.* to *3s.*

Other Amendments made.

House *resumed.*

Bill *reported.*

Bill, as amended, *considered.*

MR. HADFIELD (in the absence of Mr. BERNAL OSBORNE) moved the following clause:—

(As to loss of Vote.)

"That no person shall lose his vote for a Member of Parliament or a municipal officer for any city or borough in the said counties or other places by reason of his receiving parochial relief or other alms during the continuance of this Act."

The hon. Member said it would be a graceful concession to the working classes to pass this Amendment, which merely declared that they should not lose the privilege of voting for receiving alms during the calamity in which their conduct had been so remarkably praiseworthy.

Clause *brought up*, and read 1°.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR JOHN SHELLEY seconded the Motion, and said he would strongly urge upon his right hon. Friend the President of the Poor Law Board that it would be adding insult to injury if they should deprive the working men of the distressed districts who received relief of the right of citizenship, because they were placed in a position of difficulty by no fault of their own. The working classes in those districts showed that they were entitled to the franchise by the conduct they had displayed under circumstances of great pressure.

SIR GEORGE GREY said, he should have been glad if he had felt himself at liberty to assent to the addition of the clause; but he had already stated the objections which existed to such an extensive alteration of the law as would be effected by the proposed clause. The disqualification of electors who had received parochial relief did not rest on statute law, but on common law. It had always been felt that voters in the receipt of parochial relief were not so independent as they ought to be; and if the exemption now proposed became general, a door would be opened for corruption and bribery. If, indeed, it were possible to draw any line of distinction so as to include only those persons who were now receiving relief in Lancashire, owing to the special causes which had brought on the present distress, something might be made out in favour of the proposal; but the clause was general in its operation, suspending the law of the land for seven months throughout the whole country. [Mr. HADFIELD: No, only in any city or borough in the said counties.] The clause would then extend to the counties of Lancaster, Chester, and Derby. He had, on a former occasion, expressed his desire that persons should abstain from taking objections to the votes of parties who might be disqualified by receiving relief during the distress in those counties, but he did not think it would be right to make so sweeping a change in the law, founded on exceptional circumstances; especially by a clause to be added on the Report of a Bill, and which really had no immediate connection with its subject. No person would be entitled to receive relief under the present Bill who would not, if necessary, receive relief under the existing law. He therefore trusted the hon. Member would not press his clause.

MR. COBDEN said, he would not advise his hon. Friend to divide on the question, provided the Government intended to oppose the clause. It was better to leave the question open for the consideration of Parliament next spring. They could not know now the extent to which this calamity would be felt; they might be legislating for a large degree of distress which he trusted would not prove to be so severe as was anticipated; but they were doing wisely in preparing for the worst. After the great praises that had been given to the working people in the North, it would only be a graceful act if Parliament were next year to take this proposal into consideration. He was acquainted with the character of the working people of the North of England; they were a fine, manly, frank race. They did not like much receiving compliments; and if they found they paid them compliments, and did not afterwards trust them, they would not attach much value to their compliments. The registration for the ensuing year was over, and they would be entitled to vote until the next registration, whatever might happen in the mean time. [An hon. MEMBER: Not in case of a scrutiny.] In the case of a contested election there might be a scrutiny; and if there should be a scrutiny, the votes of persons receiving relief might be struck off. However, a scrutiny was a rare thing in election contests, and the question therefore was not of much practical importance. It was better for the Government to leave the question open, and it would be satisfactory to the working classes to know that the subject was made the matter of Imperial consideration.

Mr. HADFIELD said, he would consent to withdraw the clause.

Motion and Clause, by leave, *withdrawn.*

Mr. LYGON said, it was desirable that ratepayers of any union which contributed in aid to another union should be made acquainted with the manner in which their funds were dispensed. He would therefore move the following clause:—

(Chairman and Vice Chairman of Unions contributing may vote at Meetings of Guardians of the Union aided.)

"The chairman and vice chairman of the board of guardians of any union, parish, township, or incorporation, any part whereof is called upon to contribute in aid to another union, parish, township, or incorporation, shall be entitled to take part in the proceedings of the board of guardians administering the relief so contributed, and to vote thereupon, in like manner as if they were guardians of the poor within the union, parish, township, or incorporation receiving the contribution in aid."

Mr. C. P. VILLIERS said, he did not object to the grounds on which the hon. Gentleman had moved his clause. He thought that the attendance of both the chairman and vice-chairman would be productive of some inconvenience; but he had prepared a clause to the same effect, which he would offer to the hon. Gentleman in lieu of his own. It was only right, however, to remind the House that the money to which the union would be called upon to contribute would be expended before the guardian took his seat at the board.

Mr. HENLEY thought the clause proposed better than the one suggested by the Chairman of the Poor Law Board. Probably the cases would be few in which both the chairman and vice-chairman would attend, and if only one attended, the operation of the Amendment would be the same as that of the suggestion.

Mr. LYGON said, he would accept the clause suggested by the right hon. Gentleman.

Clause *withdrawn.*

Mr. C. P. VILLIERS moved the following Clause:—

(Where Parish contributes, the Guardians may elect Members to represent them at Board of Guardians of Union aided.)

"7. After the making and issuing of any General Order for Contribution as aforesaid the Guardians of any Union or Parish or any Select Vestry upon whom the Order is made, and who have obeyed such Order, may elect One of their own Body to represent them at the Board of Guardians of the Union on whose Behalf such General Order has been made, and every Person so elected shall be entitled to act as a Guardian of such last-mentioned Union during the then current Quarter, but no such Person shall be entitled to vote in the Election of any Officer for that Union."

Clause *agreed to.*

Sir GEORGE GREY said, that if the Bill were put down on the Orders in the usual way, although the third reading might be carried in the Commons at the evening sitting, this might not be done sufficiently early to enable the Bill to be read a first time in another place the same evening, which, considering the state of the Session, was very desirable. Perhaps the House, under those circumstances, would allow the third reading to take place at once.

Mr. HENLEY said, he had no objection, under the special circumstances of the case, to allow the Bill to be read a third time.

Sir JOHN SHELLEY said, he would not object to that course being taken on the present occasion, but he protested against this course being regarded hereafter as precedent. It had long been known that the distress existed in the manufacturing districts, and the Government ought to have introduced the Bill early enough to have afforded time for full discussion of the matter, without this undue amount of hurry.

Mr. C. P. VILLIERS said, he had deferred the introduction of this measure at the special request of several boards of guardians in the manufacturing districts, who assured him that there was no occasion for special interference, and who begged to be allowed to manage the matter for themselves. Circumstances had, however, occurred which showed that the distress must increase to such a degree as to render the interposition of the Legislature necessary; and he then, and not till then, prepared the Bill.

Mr. FITZGERALD said, it was a pity the Government had not intimated to the leaders of the Opposition their intention to move the third reading that morning. They might now come down at six o'clock, and find themselves shut out from the discussion. The precedent was one that might be the cause of much mischief hereafter.

Sir GEORGE GREY said, he last evening communicated his intention of proposing the third reading this morning to a Member of the Opposition most likely to communicate with that side of the House; and if the hon. Member for Horsham (Mr.

Fitzgerald) knew that any Member not now present wished to offer any observations on the third reading he would leave it to the evening sitting.

Mr. FITZGERALD said, he was not aware that any hon. Member intended to make observations on the third reading; but he might add that he himself had not been made acquainted with the right hon. Baronet's intention to propose the third reading this morning. He trusted that the course now taken would not be followed as a precedent.

Mr. SPEAKER said, that the House would not set any new precedent, because it had often, on occasions of urgency, done what it was now asked to do.

Mr. DARBY GRIFFITH wished to bear testimony to the great temper as well as the conciliatory spirit manifested by the right hon. Gentleman (Mr. C. P. Villiers) in the discussions on this Bill.

Bill read 3°, and *passed.*

ORDNANCE COMMITTEE REPORT.

QUESTION.

Mr. KINNAIRD said, he wished to ask the Secretary of State for War, If the Report of the Ordnance Select Committee on the competitive trials of cast-iron 32-pounder service Rifled Guns, ordered by the late Lord Herbert in 1859, has yet been received at the War Department; and whether he will lay it before the House?

Sir GEORGE LEWIS said, that several provisional Reports on the subject had been received, but that no final Report had been formally presented to the House.

ADJOURNMENT OF THE HOUSE.

Moved, That the House at its rising do adjourn till Monday next.

HOUSES OF PARLIAMENT.—QUESTION.

Mr. CHARLES FORSTER said, he wished to ask the First Commissioner of Works, What facilities will be afforded to strangers, after the prorogation, for visiting the Houses of Parliament during the continuance of the Exhibition?

KENSINGTON GARDENS.—QUESTION.

Sir JOHN SHELLEY wished, before the right hon. Gentleman answered the Question, to put to him another which was connected with one which had been put to him a few days ago by the hon. Member for Marylebone, as to the portion of the ground in Kensington Gardens being under water. The right hon. Gentleman, in answering the Question, said—

> "That in one of the central parts of Kensington Gardens, under the trees, there had been during the late wet weather an accumulation of water. That water could easily be got rid of by drains, but he apprehended the drains would do more than remove the water—they might also remove the trees. Many trees had been killed in former times by drains, and he considered it to be one of the duties of his office to take care of old trees."

Now, it was somewhat new to be informed that drainage destroyed trees, and he should like, therefore, to know on what authority the right hon. Gentleman had made the statement to which he alluded. The Question he wished to ask was, Whether any Report had been made to the Chief Commissioner that many trees in Kensington Gardens had been killed in former times by drains; and, if so, by whom such Report was made? He also desired to know, in reference to the contractor who was sinking the well at the upper end of the Serpentine, and who was stated to have brought up a considerable supply of water, but was now occupied in boring into the chalk for the purpose of procuring a still larger supply, whether the work was being executed under an estimate; and, if so, what was the total amount of the estimate, what was the depth to which the contractor had undertaken to bore under such estimate, and at what period was he bound by his contract to complete the work? Upwards of two years had elapsed since a Select Committee reported that the condition of the Serpentine absolutely required amendment, and yet little or nothing had been done to improve it. The Serpentine was again beginning to be disagreeable, and, though the tea-garden sort of work at the head of the lake had been completed for some time, he understood that the filtering beds contained nothing but stagnant water. It was to be feared that Mr. Hawksley would find himself deceived in his idea of being able to procure a sufficient supply of fresh water from his well, and the House and the public had a right to know what the Chief Commissioner now proposed to do.

PUBLIC STATUES IN LONDON.

QUESTION.

Mr. THOMSON HANKEY rose to call the attention of the House to the Return of Public Statues in London [Parl. P. 366], and to ask the

First Commissioner of Works, Why the Statue of Pitt in the National Debt Office, Old Jewry, and also the Monuments lately erected in the Broad Sanctuary and Waterloo Place, were not included in the said Return? It would be in the recollection of many hon. Members, that in 1854 an Act was passed in consequence of some doubt as to the person who should have charge of the public statues in the Metropolis. Appended to that Act was a schedule in which were enumerated fifteen statues which were from that time forward to be placed under the direct charge of the Chief Commissioner of Works. The Act also contained a clause to the effect that in future no statue should be erected in the metropolitan district without the written assent of that authority. Since 1854 a great many statues had been placed under the charge of the First Commissioner — those, for example, in St. Stephen's Hall, and others enumerated in the Return. But there were various other statues in London which had been omitted, and he wanted to know why the Return had not been made correctly. There was now in the National Debt Office in the City a fine statue of William Pitt in bronze, and he thought, since it had been bought and paid for by public subscription, it ought to have been included in the Return. The same observation applied to the statue of Charles II. at Chelsea, to that of William III. in St. James's Square, to that of George II. in Golden Square, and to three statues in the City—those of William IV., the Duke of Wellington, and Sir Robert Peel. Probably the three latter might be considered as under the charge of the Corporation of London; but, inasmuch as they were public property, their existence should have been made known to the House in a memorandum appended to the Return. There could be no doubt, however, that the other statues to which he had alluded should have been included in the Return. Another omission was that of the statue of Queen Anne, in Queen's Square, Westminster. He observed, also, that two public monuments — the monument to the Guards, in Waterloo Place, and that in the Broad Sanctuary—had not been included, and he wished to know under whose charge they were placed. It might be said, that they were not public statues; but, surely, the disagreeable erection in Waterloo Place was as much a statue as the Achilles in Hyde Park; both had figures upon them. The monument in the Broad Sanctuary might be called a pillar; it was erected to commemorate great deeds; and he contended, that both it and the monument in Waterloo Place should be placed under the charge of some public authority. The Return he moved for specified "Monuments" as well as "Statues." The statue of William Pitt in the National Debt Office was the finest that had been executed of that statesman, and should be removed to the Houses of Parliament, for it was lost in the City, and at Westminster it would be deemed a great ornament.

MR. COWPER, in reply to the several Questions that had been put, had to answer, to that of the hon. Member for Walsall (Mr. C. Forster), that the Houses of Parliament had been open to the public recently on Wednesdays and Saturdays, and after the prorogation they would be open on three days a week—Monday, Wednesday, and Friday—when the public would be admitted by the ordinary permission given on application at the Lord Chamberlain's office; and he believed that would be sufficient to meet the public requirements.

With regard to the arboricultural Question, which had been put to him by the hon. Member for Westminster (Sir John Shelley) he should have thought that all people acquainted in any degree with the management of trees were aware that any sudden alteration of the condition of the soil in which old trees were growing would have a tendency to injure them, and that the removal of moisture to which old trees had been accustomed by means of drainage very often killed them. A good many trees were killed about thirty years ago by the extensive drainage which was carried on upon the southern side of Kensington Gardens, near Rotten Row. A black pool was then drained off, and a considerable number of elm trees died, and he was informed by a person who was employed in Kensington Gardens about that period, in 1834, that the death of those trees was attributed to the drainage; and as that explanation agreed with the opinion of the best authorities that any sudden alteration in the condition of the soil in which old elm trees were growing was most detrimental to them, he had no doubt the cause assigned was the correct one. With reference to the well in Kensington Gardens, it had been a long time in progress. The sinking of wells was a matter of so much difficulty and delicacy that even the most able contractors could not always command the time within which the work should be completed; but he had taken the precaution to stipulate that the contractor for the well should not be paid till the completion of his work, and he had therefore the strongest possible inducement to bring it to a conclusion. He was not yet paid. The well had recently been finished, but they were not satisfied with the amount of water produced; and there had been an experimental boring into the hard chalk at the bottom of the well. He was happy to say that boring had been eminently successful, and a large supply of very pure water was obtained. He was not able to measure the precise amount produced, but it was estimated at 200 gallons a minute, and he believed a still larger supply would be obtained. No formal agreement had yet been made for the boring, but the matter was now under consideration, and very shortly an agreement would be entered into by the contractor to continue the boring lower down. He was asked with reference to the Vote of £17,000 which had been granted for improvement of the Serpentine, before he came into office; and he had to state that there yet remained a balance of £1,600 unexpended; so that they had not yet reached the limit of the Vote, owing to the long delay in sinking the well. The water was at present not so pure as it would be when the great drain the Metropolitan Board of Works were carrying through Hyde Hark was brought into use. When the sewage was entirely cut off from the Serpentine, no doubt the water would be much purer than it had ever been. He certainly had no intention at present to make any proposal to the House with reference to any change in the bed of the Serpentine. He doubted whether it was necessary. At all events it would be right to see the effect of the alterations now in progress there before any further changes were made, and he was in hopes that we should get a purer stream of water without any further charges.

His hon. Friend the Member for Peterborough (Mr. Hankey) complained that he had not got all the information he wanted in regard to public statues in the metropolis in the Return he had moved for; but if his hon. Friend had studied his Return as closely as he (Mr. Cowper) had been obliged to do, he would have seen the reason why the monuments to which he had referred had not been included.

His hon. Friend had set him rather a difficult problem by calling for a list of all the statues and monuments within the metropolitan district which complied with three conditions—first, that they should be public; second, that they should belong to the nation; and third, that they should be under the charge of the First Commissioner of Works. The statue of Pitt in the National Debt Office, Old Jewry, he believed, did not comply with the first of these conditions. He could not discover that the statue was public property. So far as he knew, it was the property of the hon. Member for Peterborough himself, as one of the directors of the Bank. The building in which the statue was belonged to the Bank of England, and he supposed the statue was also the property of that corporation. The two monuments in Broad Sanctuary and Waterloo Place were not included in the Return, because they did not fulfil the condition of being under the charge of the First Commissioner. They were under the charge of a committee of the subscribers who put them up, and they were responsible for the merits or demerits which those monuments might possess. With respect to the statues in St. James's Square and Golden Square, they were not included in the Return, because they stood on private not on public property, and he was not aware that the nation had any right to claim them as its property. His hon. Friend had alluded to the Act of 1854, which provided that after the passing of that Act all statues erected in any public place became thereby public statues, and they could only be so erected with the written consent of the First Commissioner of Works. In regard to statues erected subsequently to that Act there was no longer any difficulty as to what were or were not public statues; the difficulty in the definition of a public statue existed in regard to those erected previously to the passing of that Act; and upon the whole he thought the Return which had been presented had solved the problem as satisfactorily as could have been expected.

LUNATIC ASYLUMS (IRELAND).

OBSERVATIONS.

Mr. BLAKE rose to call attention to the defects in the moral treatment of insanity in the public lunatic asylums of Ireland. He had brought the subject under the notice of the House a year ago, on the accession of the right hon. Member for Tamworth to the office of Chief Secretary of Ireland, and that it was but just towards the right hon. Baronet to state that he had fulfilled the promise which he then made, and that notwithstanding the many claims upon his attention, he had found time to inquire into it, and that the beneficial change by which additional powers were given to the resident physicians in asylums was due to his interference. He (Mr. Blake) was, however, of opinion that the exertions of the right hon. Baronet ought not to stop there, as it was most desirable that further steps should be taken to carry out improvements in the moral curative treatment of the insane. All important authorities on the subject coincided in expressing an opinion that nothing so much conduced to the recovery of the insane as judicious occupation and recreation. This being conceded, the next question was, whether the means adopted in Ireland were sufficient for the purpose. Upon this subject he would take the liberty of referring to the evidence taken before the Commissioners in 1856. The Commissioners devoted twelve months to the subject, and the result was a very able and elaborate Report, in which they laid considerable stress upon the advantages to accrue from occupation and recreation. On this subject they say—

> "In the new asylums recreation halls have been provided, but, excepting in a few cases, as the new Richmond and Sligo asylums, we found that they were either not used, or were devoted to other purposes. We are sorry to be obliged to add that we fear this has generally resulted from the manager or governors not attaching sufficient importance to the amusement of the patients as a portion of their treatment. We hope that this idea will be dispelled, and that the great want of any amusing occupation for the patients, which is particularly observable throughout the asylums (with few exceptions) will, before long, cease to be a subject of unfavourable comment. At present, whatever attempts have been made in a few instances, and especially at Richmond and Sligo, in the way of evening entertainments, &c., nothing has been done to mitigate the bare and cheerless character of the apartments usually occupied by the inmates. In corridor or day room, the lunatic sees nothing but the one undiversified bare wall—giving to these hospitals, intended for the restoration of the alienated mind, an air of blankness and desolation more calculated to fix than to remove the awful disease under which it labours.
>
> "It cannot be denied, notwithstanding the care and attention which appear generally to be given by the managers and visiting physicians to the patients under their charge, that, on the whole, the lunatic asylums of Ireland wear more the aspect of places merely for the secure detention of lunatics than of curative hospitals for the insane. Probably it is by some considered, that the inmates being poor, the ratepayers should not be called on to provide for them comforts and appliances beyond their position; and something, perhaps, of the idea prevails, that the lunatic asylum should not, by the comfort it provides for its inmates, cease to be a test, like the workhouse, for those who seek it as an asylum. But it is almost needless to point out that the cases are by no means analogous, and it would be as consistent to prevent the surgeons of our county infirmaries or fever hospitals giving expensive medicines or comforts to patients, as to refuse to provide for the lunatic what may contribute to his cure. Besides, we believe it better economy to relieve the rates, by the cure of the lunatic, than to burden them with his permanent maintenance, by perpetuating his insanity."

When he brought this subject under the notice of the House last Session, the right hon. Baronet the Chief Secretary for Ireland said—

> "I readily admit, that in addition to kindly treatment, it is highly desirable that the monotony and desolation of mind endured by patients in lunatic asylums should be relieved by occupation and amusement. I do not think that the recommendations contained in the Report of the Commission of Inquiry to which the hon. Member [for Waterford] has adverted, and which sat in 1858, have been sufficiently attended to. The Commissioners urged the necessity and advantage of introducing a system of recreation and amusement into lunatic asylums; but the hon. Member must know that the remedy for the evils which he has pointed out is a matter not within the province of the Government, but depends upon the local boards. The district lunatic asylums are governed by boards, which are sustained by local rates; and although it is true that the law gives the Lord Lieutenant considerable powers, yet it is obvious that it would not be desirable that he should exercise them, except in extreme cases. The hon. Member says that the monotony of lunatic asylums should be relieved by books and music. No doubt such means of recreation and amusement would be very valuable, but their introduction depends upon the Board of Directors of each asylum; and if the Lord Lieutenant were to exercise the power conferred upon him by the law, I am afraid such exercise would be regarded by the local boards as an unwarrantable interference with the rights and authority of the cesspayers." [3 *Hansard*, clxiv., 1851-2.]

Here, then, was the opinion of inspectors, of medical officers, of the Royal Commissioners, and of the right hon. Baronet himself, that the means of providing occupation and amusement were insufficient. Since the matter has been brought under the notice of the Irish Government, the Chief Secretary had turned his attention to the subject, and the result was that the very admirable Report of the inspectors, published in the present year, contained an admission that there was a deficiency in the Irish asylums of those agencies to the curative system, which all the persons whose opinions were entitled to weight had recommended. In the Report dated 1862 the inspectors say—

> "Our object in introducing the educational condition of the inmates of the different district asylums, and in which the illiterate more than double those who have received a fair amount of education, was to exhibit their previous social position, and to show the beneficial working of these institutions in producing habits of order, neatness, and even some approach to refinement among the insane classes; while the number daily employed in and out of doors serves to prove the encouragement given to industrial occupations. On this latter head, however, we feel satisfied that great room for improvement still exists, and that suitable occupations could be devised for a much greater proportion of patients than at present; for nothing can be more injurious to the insane themselves than idleness, and that listless mode of existence, particularly within doors, which we regret to observe is too much tolerated. In the absence of industrial employment, pastimes ought to be more generally provided."

The Report of the previous year, however, contains a paragraph somewhat inconsistent with the above—

> "As a general rule the patients in district asylums are industriously employed, both in and out of doors; and while their comforts and sanitary condition are carefully attended to, the means of amusement are not neglected."

It might, he was aware, be said by the right hon. Baronet the Chief Secretary for Ireland, that as the percentage of recoveries was greater in Ireland than in England, the treatment in Ireland was better. He admitted, that as a whole, the Irish asylums were better than the English; but there were in England some half a dozen asylums which were superior to all others in England or in Ireland. They were those of Derby, Leicester, Gloucester, Somersetshire, Yorkshire, and, above all, Bethlehem. In order to show that in Ireland there were to be found circumstances and conditions favourable to the cure of the insane, he would briefly point out to the House the value of Irish asylums over English in the way of effecting cures. In Ireland there was no system of out-door relief for the insane poor, while in England 2*s.* or 3*s.* per week were allowed for the support of those afflicted persons. When, however, they became too troublesome to their friends, they were taken to the workhouse, where they cost about 5*s.* per head per week; and when they became too troublesome there, they were removed to the county asylum. It would thus be seen that in England they were not placed under the curative system until the very last moment, and when their prospects of recovery were greatly diminished. There were in England 20,000 insane persons in public asylums, of whom 17,000 were incurable, whereas in Ireland there were, according to the last Report, 4,388, of whom 3,265 were curable, and 1,253 only were considered incurable. He might state that in some of the English asylums—Colney Hatch, near London, for instance—the highest number of cures recorded was 25 per cent, while in the county asylum at Derby it was 50 per cent. The recommendations of the Royal Commissioners of 1856 were, he thought, worthy of the attention of the Government. They were — 1. That the resident physician should have the general management, and be responsible for the medical and moral treatment; 2. Vesting appointment of officers in governors; 3. Compulsory appointment of chaplains; 4. Transfer of the charge of support of lunatics to poor rates; 5. Providing increased occupation and amusement; 6. Improved dietary; 7. Less employment of restraint; 8. Clinical instruction; 9. Removal of lunatics from workhouses and jails; 10. Central board of management; 11. Removal of incurable cases to workhouses. The hon. Gentleman concluded by inquiring, Whether it was the intention of the Government to take steps to carry into effect the principal recommendations contained in the Report of the Commissioners of Inquiry into the state of the Lunatic Asylums of Ireland (1856)?

INSPECTORS OF PRISONS (IRELAND).

OBSERVATIONS.

Mr. BUTT rose to call attention to the last Report of the Inspectors of Prisons in Ireland, and the expediency of adopting early next Session such measures as may be necessary to prevent the detention of persons committed as dangerous lunatics in the common gaols in Ireland—a system which, he said, led to the most frightful consequences, preventing all chance of the recovery of the lunatics themselves, and destroying the discipline of the prisons.

Sir ROBERT PEEL said, he was quite aware that the House was impatient to proceed with the Night Poaching Bill, and with the Courts of the Church of Scotland

Bill, and therefore he would not now enter into this question at any length. He admitted that very great inconvenience resulted from the practice of confining lunatics in gaols in Ireland. Recent legislation had tended to alleviate that state of things, and the Lord Lieutenant in Council had ordered the construction of seven new lunatic asylums, which were now in course of erection. He had been obliged to the hon. Member for Waterford (Mr. Blake) for calling his attention last year to this subject, but he could not admit that the lunatic asylums in Ireland were not well managed. The new rules, he believed, were working admirably, and he had received the thanks of the College of Surgeons for the improvements that had been effected. He could not but deprecate any attempt to place pauper lunatics in gaols where the treatment could not be adapted to their wants; but he could assure the House that the Government would not fail to devote the closest attention to the care and well-being of the unfortunate inmates of pauper lunatic asylums.

THE CLUB-HOUSE AT ALDERSHOT.

QUESTION.

General **LINDSAY** rose to ask the Secretary of State for War to postpone until next Session his decision respecting the conversion of the late Officers' Club-house at Aldershot into a Soldiers' Home. He was himself a great friend of soldiers' institutes, but he thought the building in question was not favourably placed for such a purpose, being placed close to a high road. The building had been fitted up for an officers' club, and would require great alterations to fit it for a soldiers' institute, and the high rent which had been demanded by the War Department had prevented persons from taking it for the purposes to which it was usually devoted.

SHELLS AND PROJECTILES.

QUESTION.

Colonel **DUNNE** wished, before the right hon. Gentleman answered the Question of his hon. and gallant Friend, to ask him, If he had any objection to lay upon the table of the House a Copy of Correspondence from General Bornien (a distinguished Artillery Officer in the Belgian Service) to the War Department, on the subject of shells and other projectiles; and also whether any of his propositions or inventions have been adopted in the British Service?

Sir **GEORGE LEWIS** said, he was not aware that any of General Bornien's invention had been adopted in this country, but he had no objection to lay the Correspondence upon the table. In reply to the hon. and gallant Member for Wigan (General Lindsay), he had to say that he believed that no rent had been demanded for the club-house until the original lessee had failed, when the property was purchased by the War Department. He had stated, when the Estimates were under discussion, that it was intended to convert the club-house into a soldiers' institute; but as there was a difference of opinion upon the subject, he should not object to postpone his decision until next Session.

DUBLIN POST OFFICE.—QUESTION.

Mr. **VANCE** rose to ask the Secretary of the Treasury, Why it was that the Dublin Post Office was closed at 5·30 p.m., instead of 6 p.m., as formerly; and he wished also to ask whether the Government were prepared to make any remonstrance with respect to the increased fares charged by the Companies who are in receipt of the postal subsidy for the conveyance of passengers between Dublin and London *viâ* Holyhead. He complained that the fares had been raised from £2 7*s.* 6*d.* to £3 2*s.* 6*d.*, greatly to the inconvenience of the Irish people, who were prevented from coming to the Exhibition.

GUARDS' MONUMENT.—QUESTION.

Colonel **NORTH** asked the Secretary of State for War, Whether he would produce certain Papers relating to the payment of the sum of £120, for six mortars for the Guards' Monument, Waterloo Place, as stated in the account of Civil Contingencies, 1861-2? He thought that these Russian guns had been scattered broadcast over the country with inconceivably bad taste. It was the first instance on record in which a nation like the Russian nation had been subjected to such an insult. The Russian army was one of the finest in Europe, and had nobly fulfilled its duty to its country. But no Russian could now travel through Great Britain without having one of these captured guns pointed at him. Such an act was utterly at variance with our national character, and would be a lasting disgrace to us. He should like, also, to know what had become of the money paid for these guns. He also wished to know whether some reform could not be made in the distribution of prize money, and of military decorations? They were told that there was very little prize money from the Russian war; but there must have been a considerable quantity of stores taken. There was so much delay in the awarding of prize money that it was too frequently given to the representatives of the person who had earned it, and much of it was lost to the captors and their families altogether. There was a Return before the House, which showed a balance of £1,162,332, arising from forfeited and unclaimed shares of prize-money. With regard to medals, instead of their being given with some degree of *éclat* by the officers to the men while they were in the regiment, they were, generally speaking, delayed so long that some village official was called on to distribute them in consequence of the men having left the regiment, and he believed that the general way in which they were distributed was something like this—"Here Jimmy's some'at for you. Are'e goin' to stand a pint o' beer?" He thought that it was high time that some reform should be made in the mode of the distribution both of prize money and of the medals granted for distinguished service.

Mr. PEEL said, he could give no assistance to the hon. Gentleman (Mr. Vance) with regard to the increase in the fare of the railway passengers between Dublin and London, because there was nothing in the contract between the Government and the Railway and Steam Packet Companies which at all referred to passenger fares. As to the Post Office arrangements at Dublin, the difference was this—that whereas letters were formerly received until six o'clock without any additional fee, and until a quarter-past six o'clock on payment of sixpence, letters might now be posted till half-past five o'clock without a fee, from half-past five till a quarter-past six o'clock on payment of a penny, and until half-past six o'clock for sixpence. These alterations had been rendered necessary owing to there having been too short a time for making up the bags, and the change was not carried into effect until it had received the unanimous sanction of the Dublin Chamber of Commerce. As to the guns for the Guards' Monument, an application had been made to the Government for a grant of gun metal. The Treasury had assented to this application; the value of the guns was paid out of Civil Contingencies to the account of the sale of stores belonging to the War Department, and the disposal of this sum would, he assumed, be shown in the War Estimates.

TICKET OF LEAVE SYSTEM.
QUESTION.

Mr. HENRY SEYMOUR said, he wished to ask, Whether the man Gilbert, now under sentence of death for the murder at Fordingbridge, was a returned convict, and whether the Secretary of State for the Home Department has instituted any inquiry in order to ascertain how so dangerous a man was set at large?

Sir GEORGE GREY said, that Gilbert was not wholly what was called a ticket-of-leave man. He had been twice convicted of serious offences. Some years ago he was sentenced to transportation, and obtained his leave according to the usual practice at that time. He was afterwards, in 1856, convicted of another offence, was sentenced to four years' penal servitude, and underwent his complete sentence.

CLERGY DISCIPLINE.—QUESTION.

Mr. HENRY SEYMOUR said, he would now beg to ask the right hon. Baronet, Why the Clergy Discipline Bill, which was forwarded at the commencement of the Session by the English Prelates to the Government, or some other Bill on the same subject, has not been introduced by the Government, according to the promise of the Secretary of State for the Home Department at the commencement of the Session?

Sir GEORGE GREY said, that a Bill had been prepared upon this subject, but it was thought better to postpone bringing it forward in the present Session, in the hope that more agreement might be obtained respecting it than existed at present.

THE ADMINISTRATION OF VISCOUNT PALMERSTON — LEGISLATION AND STATE OF PARTIES.

Mr. COBDEN, who had given notice of his intention "to offer observations on the Administration of the noble Lord the Member for Tiverton, in relation to the Legislation and state of parties in this

House," rose and said: Sir, in the very few remarks with which I shall trouble the House, it is not my intention to be the humble imitator of the able and eloquent men who, in this and in the other House of Parliament, were formerly accustomed, at the close of our Parliamentary labours to take a review of the measures of the Session. Indeed, there would be a very good reason for my not following their example this evening, because I think there is an absence this Session of measures to critcise. Nor is it my intention to speak as one of a party, or as representing other Members of this House. I know that in what I have to say I am the exponent of the opinions of many Members both present and absent. But, though I wish not to assume the character of a political representative or leader in any form, still, if I had yielded to more than one representation made to me, I should have made some such statement as I am about to make much earlier in the Session. I repeat, Sir, I do not profess here to be a party leader, and I have never in this House cared much for party politics, for I have generally had something to do outside of party; yet I am of opinion that in a free and representative community the affairs of public life must be conducted by party. A party is a necessary organization of public opinion. If a party represent a large amount of public opinion, then the party fills an honourable position, and commands the confidence of its fellow-countrymen; but if a party have no principles—it has been called a faction —I would call it a nuisance. And if a party violates its professed principles, then I think that party should be called an imposture. Now, these are hard words; and yet they are precisely the measure which, sooner or later, will be meted out to all parties by public opinion; and, late in the Session as it now is, it may be well if we, who represent both the majority and the minority of this House, take a review of our position with a view to seeing how far we shall be able to bear the inquest when the day comes—as come it will—for our conduct and character to be brought into judgment. Now, Sir, with regard to the majority, as I suppose we may on this side of the House call ourselves, I shall take the liberty of calling back to our recollection what has been in former times our professed principles. [Mr. HADFIELD: Hear, hear!] My hon. Friend is evidently in a doleful key—and does not seem, I think, to anticipate much gratification or renown from this investigation. I would make an exception, in his case, however; for if I was called upon to make the selection, he is the man I would name as having been at all times, in season and out of season, true and faithful to his principles. Now, Sir, what have been the professed principles of the so-called Liberal party? "Economy, Non-intervention, and Reform!" Now, I ask my hon. Friend—and it is almost a pity we cannot talk the matter over in private—if we were to show ourselves, on some great fête-day, as ancient guilds and companies used to show themselves, with their banners and insignia floating in the air—if we were to parade ourselves, with our chief at our head, with a flag bearing the motto, "Economy, Non-intervention, and Reform," whether we should not cause considerable hilarity? Of these three ancient mottoes of our party I am inclined to attach the first consideration to the principle of economy, because the other two may be said to have for their object the attainment of that end. Now, how have our party fulfilled its pledges of a policy of economy? Do my hon. Friends around me know to what extent we have sinned against the true faith in this respect? Are they aware that this so-called Liberal party, the representatives of economy, have been by far the most extravagant Government that has ever been known in this country in a time of peace? Are they aware that we have signalized ourselves as a party in power by a higher rate of expenditure than was ever known before, except in time of war? I do not mean merely that we have spent more money—because it may have happened that we have grown so much more numerous and so much richer in the lapse of time, that though the amount of expenditure might be greater, the proportionate burden might be less; but I mean that we have, as a party and as a Government, spent more money absolutely, and that we have been more extravagant relatively to the means and to the numbers of the people, than we ever were before. We have lately had a Return laid before Parliament that throws light upon this subject. It is a Return moved for by the hon. Baronet opposite (Sir Stafford Northcote), who has taken so much interest in financial questions. It is called "A Return of Taxation per Head," and it gives you the amount paid by each individual in the

State at four different periods extending over thirty years. In 1830-1 the taxation per head was £2 4*s.* 11*d.*; in 1840-1 it was £1 18*s.* 2*d.* Then you had just realized the fruits of the Reform Bill. In 1850-1 it was an average of £2 1*s.* 5*d.*; and in 1860-1 it was £2 8*s.* 1*d.*, being a higher amount in 1860 than in 1830. So that during the existence of the present Government, while this party has been in power, the largest amount per head has been spent in taxation that has been known for thirty years—or, I may say, in any year of peace. Not only have we spent more money per head, but we were informed the same year by my right hon. Friend the Chancellor of the Exchequer, who took considerable pains to investigate the matter and to bring it clearly to our full appreciation, that the taxation had increased faster than the wealth of the country between 1843 and 1859. He showed that our expenditure had increased in more than a proportionate ratio of the increase of our wealth. That is the statement of our own Chancellor of the Exchequer. So you see that this so-called party of economy has been the most extravagant Government that has been known by the present generation. There is another illustration of this which I wish to bring home to my hon. Friends. How has this money been spent, and upon what has it been spent? I have given you an illustration of the increase of expenditure in four years. I will compare it—I am sorry to have to do it, but we must have the whole truth out and make a clean breast of it—I will compare our expenditure with that of the hon. Gentlemen opposite. I find by the Estimates for 1862-3, moved by my right hon. Friend the Chancellor of the Exchequer in his budget of this year, that the Estimates for army, navy, and fortifications, including the packet service—(this last item was included in the Estimates of the right hon. Gentleman opposite, so I give it here to make the comparison fair)—were set down at £29,916,000. Now, I have the Estimates of the right hon. Gentleman the Member for Buckinghamshire when he was Chancellor of the Exchequer in 1858, and his Estimates for 1858-9, for the army, navy, packet service, and fortifications, were £21,610,000, or £8,306,000 less than the Estimates for this year. ["Hear, hear!"] I wonder how my hon. Friends can be encouraged to cry "Hear, hear!" with so cheerful a voice. In these Estimates I have put the £1,200,000 for fortifications which we have voted this year. It is very convenient for some noble Lords or right hon. Gentlemen to put the money voted for these fortifications out of sight, because they do not come into the regular Estimates; but if we are spending this year £1,200,000 upon fortifications, it is clear that is so much drawn from the available resources of the country, and it must fairly be put down to the expenditure of this year. Making the comparison in this fair way, we have increased our expenditure for these services in four years above the expenditure of the party opposite by £8,306,000, or at the rate of more than £2,000,000 a year. How has this arisen? Upon what grounds can it be that we have increased those warlike Estimates by £8,000,000 in the last four years—four years of the most profound and most growing and increasing peace, as far as the tendency of affairs between this and neighbouring countries is concerned? How is it that this can possibly have arisen? Now, this brings me necessarily to refer to the noble Lord at the head of the Government. One or two of my Friends said to me before I began to speak, "I hope you will not be personal;" and I have had warnings to keep my temper. I promise the House that I will keep my temper, and I will not be personal any more than I am obliged to be. The noble Lord in this matter represents himself a policy. I do not mean to absolve other parties that are with him from their responsibility in joining him. I do not mean to say that the Chancellor of the Exchequer is not fairly responsible for the Estimates he brings forward. He may have his motives. He will give and take probably. He will agree to spend more in one direction, if he can get some concession that he deems necessary in another. There must be compromises where twelve or fifteen men are working together. But, so far as regards the *primum mobile* of this increased expenditure, I cannot leave out of consideration the noble Lord himself, for this reason—he will not allow me to leave him out, because he is always prominently the first and foremost when anything of this sort has to be proposed or defended. Now, I have no hesitation in saying—do not let my Friends think I am going to say anything personal—that I put the whole of this increased expenditure down to the credit of the noble Lord. I do not excuse those who allow him to spend, to waste the money of the country—but he is the *primum mobile* in this matter. I tell him now—for it is the best thing to be plain and open, and I say it to his face, for I do not want to go down into the country and say it behind his back—that he has always been first and foremost in promoting extravagant expenditure for the last twenty years. I have sometimes sat down and tried to settle in my own mind what amount of money the noble Lord had cost this country since he had been in office; and I think that from 1840, dating from that Syrian business, which first occasioned a permanent rise in the Estimates—judging by the way in which he, in conjunction with others, continually stimulated the late Sir Robert Peel into increased expenditure — taking into account his Chinese wars, his Affghan war, his Persian war; his expeditions here, there, and everywhere—taking into account his Fortification scheme, which I suppose we must now accept with all its consequences of increased military establishments—the least I can put the noble Lord down as having cost the country must be £100,000,000 sterling. I think the noble Lord, with all his merits, is very dear at such a price. But how has the noble Lord managed to get this increased expenditure from the budget of the right hon. Gentleman opposite in 1858, to the budget of my right hon. Friend this year —£8,300,000? It has been by a constant and systematic agitation of the country. The noble Lord has been the greatest agitator I know in favour of expensive establishments. It has always been his practice, whether in this House, at the Lord Mayor's feasts, at school meetings, at reformatory meetings, at rifle corps meetings, or at some mediæval ceremony, such as his installation as Lord Warden of the Cinque Ports, to raise a cry of danger and of invasion from France. It is a very curious and extraordinary thing. The noble Lord and his Friends came into power upon two grounds — namely, that they would give us a better Reform Bill than the hon. Gentlemen opposite, and that they were the party who could always keep us upon friendly terms with France. It has ended in this very party kicking Reform out of existence, and we have had nothing since but a cry of invasion from France. This policy of the noble Lord has had two consequences. Understand, when I speak of the noble Lord's policy, I speak of it as sincere. The longer I live, the more I believe in the sincerity of men. They often deceive themselves, and often go wrong from culpable ignorance. I do not impute motives to the noble Lord, and least of all do I charge him with wilfully and knowingly misrepresenting facts; but there is no doubt, that in consequence of the noble Lord's "idea"—he talked of the "monomania" of my hon. Friend the Member for Liskeard in opposing his scheme—in consequence of the noble Lord's idea of a French invasion, the country has been kept in alarm on this subject. And what has been the consequence? It has had these two effects. It has prevented the people of this country from attending to their own domestic affairs, and it has prevented them from looking after economy in the expenditure of the State. I do not say the noble Lord intended that this should be the case, but there is a passage in a curious work which I have had brought to my recollection, and which is so completely illustrative of the position which the noble Lord occupies in relation to this question that I cannot refrain from reading it. The passage to which I allude applies immediately and directly to the point under our notice; and although I do not suppose the noble Lord has been plotting and acting in the sense which it describes to attain his ends, yet, by a singular accident, his line of conduct is most whimsically and amusingly portrayed by Archbishop Whateley, in a treatise entitled *Historical Doubts relative to Napoleon Bonaparte,* which contains the extract which I am about to record. The work is well known; it was written thirty years ago, and with the view of refuting sceptics by showing that very good arguments might be advanced to prove that no such man as Napoleon Bonaparte had ever existed. This is the passage—

> "Now, it must be admitted that Bonaparte was a political bugbear, most convenient to any Administration:—'If you do not adopt our measures and reject those of our opponents, Bonaparte will be sure to prevail over you; if you do not submit to the Government, at least under *our* administration, this formidable enemy will take advantage of your insubordination to conquer and enslave you. Pay your taxes cheerfully, or the tremendous Bonaparte will take all from you.' Bonaparte, in short, was the burden of every song; his terrible name was the charm which always succeeded in unloosing the purse-strings of the nation."

Now comes a very apt illustration of the course pursued by the noble Lord—

> "And let us not be too sure, safe as we now think ourselves, that some occasion may not occur for again producing on the stage so useful a personage; it is not merely to naughty children in the nursery that the threat of being 'given to Bonaparte' has proved effectual."

That extract seems to me completely to represent the unconscious state of the noble Lord; and I should like to know what other ground there is for his popularity with the country—for he is said to be a popular Minister. When I come, for instance, to ask a question about the introduction of a particular reform in this House, the answer I receive sometimes is, "Nothing can be done while the noble Lord is at the head of the Government;" but, assuming that he is as popular as he is said to be, I cannot imagine any other ground for that popularity than that he is supposed to be the vigilant guardian of the national safety. [*Loud cheers.*] Now, you see Archbishop Whately is quite correct; there are a good many "naughty children" behind the Treasury Bench. The noble Lord thought he saw danger—where he could not say; and he has been protecting us against it to the extent of £8,000,000 sterling, and the reasons given for his policy, though not satisfactory to me, are, it seems, very satisfactory to himself and those around him. But the noble Lord's fantasy has done more than spend our money and put reform out of the nation's head; it has also prevented an investigation, full and comprehensive, of the mismanagement going on in both branches of our public services, especially in the navy. The noble Lord has been continually telling us that France was going to surpass us in naval power; that she was first building one vessel and then another. All the while, however, it followed that the country was not made alive to the mismanagement and waste going on in our dockyards, which, if there had been any spirit of inquiry, would have been found sufficient to account for our inferiority, without referring it to any aggressive designs on the part of France. We have had lately placed in our hands a very valuable pamphlet on this subject, written by Mr. Scott Russell, than whom there can be no better judge of the nature of shipbuilding, and the comparative merits of different kinds of vessels. He tells us that we have, during the last thirty years, spent £30,000,000 in our dockyards, for labour and material in the construction of a class of ships which are now totally useless, there being in our possession only two seagoing vessels which can be said to be really effective. He adds that he called the attention of the Government to the subject seven years ago; but you can never get an investigation into these matters, because there is always a way of getting rid of inquiry—either by abuse, or by an outcry against French invasion or French aggression. Lately a series of articles have appeared in the *Revue des Deux Mondes*, written by M. Xavier Raymond, which I would recommend the noble Lord to read. The writer is, perhaps, one of the most competent authorities on the subject of the English and French navies whom perhaps you could find. He enters very much into detail with respect to it, and I hold in my hand an extract from one of his articles which I think very appropriate to the point to which I am referring. It is as follows:—

> "The British Admiralty are always wanting in foresight; they do not even know what is going on at their very door. France had seven years previously abandoned the construction of sailing vessels, when, in 1851, the House of Commons forced a similar policy on the Admiralty. Four years had elapsed since the French Government had determined not to lay down another screw line-of-battle ship, when all of a sudden, though somewhat late, the British Admiralty, discovering that we had nearly as many of these vessels as themselves, decided upon what the Queen's Speech in 1859 called the reconstruction of the Navy. The moment was assuredly most admirably chosen, seeing that it was notorious to the whole world that from the year 1855 France had not constructed a screw ship of the line, and that for a year the iron-clad *La Gloire* was visible under her shed at Toulon. Again, it has been necessary to wait till 1861, another seven years, before the Admiralty, conquered again by the House of Commons, renounced the further construction of screw ships of the line. If this be not waste and improvidence, where on earth are they to be found?"

Now, that is the judgment pronounced by one of the most eminent writers of France, who is thoroughly conversant with the question with which he deals, and it is simply a repetition of what has been said by my hon. Friends the Member for Sunderland, the Member for Glasgow, the Member for Finsbury, and other hon. Gentlemen in this House. Yet, notwithstanding all this, nothing has been done to remedy this monstrous mismanagement in our dockyards, of which complaint was made, while the country was constantly amused and stunned with the cry of French ambition and French invasion. I shall make only one other quotation from the writer in the *Revue des Deux Mondes,* whose name I have mentioned, but I would again intreat the noble Lord to read the whole of his articles during the recess. M. Xavier Raymond says—

> "Whenever the British Admiralty fall into some fresh scrape, when they find themselves left behind by the superior management in the French dockyards, in order to extricate themselves from their dilemma they resort to an expedient which has never failed them, but which is little calculated to promote mutual good will between the two countries. It is an exhibition, certainly, of great cleverness, but cleverness of a very odious nature. Instead of candidly admitting their own shortcomings, they raise the charge of ambition against France, accuse her of plots and conspiracies, and agitate the country with groundless alarms of an invasion; and while thus obtaining the millions of money necessary to repair their blunders, we have, at the same time, the speeches of Lord Palmerston enunciating the singular theory, that to perpetuate the friendship of these two great nations it is necessary to push to the extreme limits the unproductive expenditure on their armaments."

This, it appears to me, is a very serious question—and a very serious one at this moment. I do not believe the country or the House is at all aware of its full and extensive bearing on the circumstance that we are at present without a fleet. Mr. Scott Russell's pamphlet is headed "England without a Fleet." I shall now, with the permission of the House, read an extract from an American paper, to show what is thought on the subject on the other side of the Atlantic. This is a passage from an article in a late number of the *New York Evening Post,* in which the writer says—

> "But it may be urged that the French and English fleets would open the ports of the South in spite of our resistance. The answer to this is, that the experience of our civil war has taught us to despise such fleets as the French and English Governments have now on foot, so far as attacks on our seaport towns are concerned. It has taught us to resist them by vessels sheathed in massive plates of iron, mighty engines encased in mail; too heavy for deep-sea navigation but well adapted to harbour defence, and of power sufficient to crush in pieces and send to the bottom, with their crews, the wooden ships on which England has hitherto prided herself. With these engines we might sink the transport ships bringing the European armies, as soon as they appeared in our waters."

Now, there is not, I think, an intelligent naval man who will not endorse that doctrine. Admiral Denman, in a pamphlet which has probably been placed in the hands of other hon. Members as well as my own, observes—

> "And, again, with respect to the invulnerable ships in which France has taken and kept the lead, it is equally agreed on all hands that a fleet built of wood must be certainly destroyed in a conflict with iron-plated ships. A French author scarcely overstates the case when he compares an iron-plated ship among ships of wood to a lion among a flock of sheep."

["Hear!"] I hear distinguished naval men cheering the sentiment, and therefore I conclude it is unquestioned. If that be so, what becomes of the responsibility of the Government towards the country? I see before me one of the greatest merchants in England. Suppose he, or some great wholesale dealer, employs a clerk to manage a large department of his business, as is constantly done, and finds some fine spring morning that department crammed with goods of a perfectly unsaleable character; suppose, moreover, this clerk or superintendent had ample opportunity of knowing what description of goods would be wanted in the market, do you think his employer would allow him to escape without a reprimand under the circumstances, especially if he were to run up to him and say, "Oh, we are quite out of the market. Mr. So-and-So has got suitable goods; we have no chance against him?" Yet this is a parallel to the course which has been pursued by the Government. The Admiralty knew they were without a fleet capable of meeting modern vessels; but instead of being filled with remorse for their remissness in the discharge of their duties, they actually bully us, as the noble Lord has repeatedly done. He comes down to the House and says, "France has a far better fleet than we have; France has twenty or thirty iron-cased ships, and we are inferior to France," and makes that sufficient ground for adding another £10,000,000 or £15,000,000 to the Estimates, and no question is asked with regard to the £20,000,000 or £30,000,000 which, according to Mr. Scott Russell, have been absolutely wasted. I have said something to account for the way in which the money has been wasted upon our armaments. For this the present Government and the Liberal party are responsible. The present Government does not concern itself about this, except as laying the ground for future expenses, of it is impossible to predict how great magnitude. I warn, then, my hon. Friends whom I see around me, that unless we can in some way detach ourselves from this terrible system of mismanagement, we shall, as a party, rot out of existence—I will not call it by any other term—we shall rot out of existence, by-and-by, with such a load of odium about our necks, in the shape of undertakings entailing the most costly charge to the country, that such a thing as a Liberal party will never be tolerated—it will stink in the nostrils of the people. Look, for instance, at this vast expenditure for fortifications. Does anybody in this world doubt that that is entirely the work of the noble Lord? Anybody who has sat in this House and seen the sums voted on different parts of the fortification scheme, must know right well that it is solely, individually, and personally the act of the noble Lord; it is the price we pay for what I suppose we must call the obstinacy of the noble Lord. But we are very much mistaken if we suppose that the expense of this fortification scheme will end when the bricks and mortar are done with. When the subject of the fortifications was debated in this House in May last, I placed under the gallery an artillery officer, who is well known in this House, who has filled one of the highest posts, and who was in the front rank during the Crimean war. He was going into the country, and the next day—having listened to the debate throughout the entire evening—he sent me a letter, in which he said—

> "I cannot see any motive for this fortification scheme but this: it is not to protect us against a foreign enemy; because, if an enemy landed in this country, such fortifications would be an inconvenience and a danger to us. I can make nothing of them but this—that they are intended as a future excuse for keeping 30,000 more men in the country in time of peace than formerly."

I believe that a gallant Officer opposite has expressed the same opinion. And yet all this is being done by the Liberal party. That is what we shall have to be responsible for. Why, even our children will shrink from the very name and the very imputation of having had fathers that belonged to so foolish, so extravagant, and so profligate a party. Take, again, this affair of China. Do not hon. Members recollect what was stated by my right hon. Friend the Chancellor of the Exchequer when he brought forward his budget? Or if they do not, I will refresh their memory by reading a short extract from that speech. The right hon. Gentleman, in the budget speech on the 30th April, 1862, after putting down the charge for the China war at £7,554,000, adds,—"which, I trust, will be the end, strictly speaking, of the charge for the China war." Now, since then, we have not only launched into a war with China, but we have rushed headlong into an intervention, of which Heaven only knows what the dimensions will ultimately prove. It is entirely taken out of our hands; and what I hear in all directions is, that we shall have China upon our hands just as we have India. Let me read an extract from the *North China Herald* of a recent date. It says, in plain language—

> "We again warn our countrymen whose good fortune it is to dwell in marble halls in their own native sea-girt island not to fancy that we can pause in this work of redemption. . . . The end may not be very far off; and if any of our readers seek to inquire of us what that end will be, we openly reply, nothing short of the occupation of this rich province by Great Britain. We have no hope of the Imperialists."

Now, when I saw the vote of the House on that subject—when I saw the majority of this House which supported the noble Lord including a great number of hon. Members from the other side of the House, led by the right hon. Member for Cambridge University (Mr. Walpole)—I could not help exclaiming, "Where is the Conservatism of this land!" For I do not know a more rash or reckless proceeding than for a Conservative party—the noble Lord does these things as a matter of course—to lend itself to such a step. Does not the Conservative party see that from time to time public opinion in this and every country turns round, and judges not merely parties in a State but the governing classes? And if this China affair should lead to what it may lead in a few years' time—if in twenty or thirty years the whole power of this country should for a time, as it sometimes has been, be thrown into the hands of the great mass of the people—how can we tell that the people will not judge the governing classes of the country by that very proceeding of taking possession of the vast empire of China? Here is a country to which you send about 3 per cent of your exports—for the last seven years your exports to China have not averaged more than 3 per cent of the whole exports from this island; and yet, for that infinitesimal fraction of your business, you are going to meddle in the affairs of 400,000,000 of people. You are going into a country eight times as large as France—ten times as populous as France—a country which is in a complete state of revolution—not merely with one rebellion, because your blue-books tell you that there are other rebellions besides that of the Taepings, which the Imperial Government is quite unable to put down—

you have got into that country entirely because the noble Lord happens to be at the head of affairs. Does anybody doubt that this is one of the evils of the meddling disposition of the noble Lord—or what, in vulgar phraseology, would be called his filibustering policy in China. The noble Lord is known to have such a predilection for this kind of sensation policy, that let an Admiral or General in any part of the world commit an act of violence, and he is sure to be backed by the noble Lord. He acts on that assumption; he acts wisely, and gets promoted. Let him send home a report of some act of violence or other, and the noble Lord will back him, I engage. With respect to China, the instructions sent out by Earl Russell were most explicit against interference. As has been stated by a gentleman who knows the country well, our commanders were instructed not to interfere at the very time when they began their raids and incursions; but they judged that the noble Lord would back them, and they judged correctly. And the House, in an incautious moment, and owing very much to what I must call the most illogical step of the right hon. Member for Cambridge, for whom I have the greatest respect—this House, aided by hon. Members opposite, committed itself to these rash proceedings. Who can tell what the state of our finances is at this moment? My right hon. Friend, at the opening of the Session, in his budget speech, drew the lines very close. I remember the sensation he produced in this House when he came to declare that he had an expenditure and an income of about £70,000,000, and a surplus of only £150,000. I recollect that that was considered to be very close sailing. Well, but to get that surplus he was obliged to assume that the troops that were at Tien-tsin were coming back again. But they have not come back. I am on a Committee in which that fact has come out. I do not know whether hon. Members have had the Report of that Committee or not—if not, I ought not to refer to it—but it has been referred to already in this House. Our representatives in China ordered these troops to Shanghai, and there they remain, instead of coming home; and that will do far more than take away the surplus, which, I believe, lost a little in the hops and beer licences. However, looking at the state and prospects of our revenue—looking at what has happened during the past few weeks, and to what must happen in the next winter—looking to what must happen to affect our prospects—is not this a most rash and lamentable dilemma into which we have rushed under the leadership of the noble Lord in respect to China? Then, let us take another act—an act, I believe, entirely of the noble Lord. I do not say that the other Members of the party are not responsible; they are, as well as he. But when I am dealing with an army, I deal with the general; and when I deal with a party, I deal with the chief, who is primarily responsible. The expedition to Canada was entirely the act of the noble Lord. When my hon. Friend the Member for Birmingham came down to the House last spring and spoke upon the subject, I intended also to offer a few observations to the House; but I was unfortunately deprived of the use of my voice for two or three months, and could not do as I intended. I will, however, now say a word or two on that subject. I know the country well. I have travelled over its entire length, from the Gulf of St. Lawrence to Lake Michigan. I know the population in both divisions. I have been there more than once—and I tell you that the noble Lord's policy on that occasion was again a sensation policy. It was a sensation policy on a par with the sensation articles in the New York papers. In November of last year an act of aggression was committed by an American cruiser upon one of our steamers. Before the middle of December the noble Lord heard from the American Minister that the act was done without the instructions or the cognizance of the American Government, and that he had reason to believe that the whole thing would be explained and satisfactorily arranged. ["No, no!"] Yes, he had full reason to believe this. ["No, no!" "Hear, hear!"] Well, then, I will give Gentlemen their own way, and say that the noble Lord had not full reason to believe that the whole thing would be satisfactorily arranged. It makes no difference to the case as I am going to put it. The frontier of Canada is hermetically sealed by ice and snow till the month of March, and it was impossible for military operations to be carried on till March. But the noble Lord hurried over 8,000 or 10,000 troops to Nova Scotia and New Brunswick. Many of those troops were detained there, and never reached Canada at all, to my certain knowledge. He sent over large supplies of sledges, which I am told by a relative of mine, a colonel out there, all the horses in Canada could not have drawn unless they were put upon the sledges of the country, and which, therefore, the sooner they were burnt the better. All these hasty and ill-judged proceedings were taken before the noble Lord waited to hear what the answer was from the American Government. If he had waited until the first week in January — three months before any military operations could have been carried on upon the frontier and the lakes and rivers that divide Canada from America, he would still have had plenty of time to have sent out reinforcements. Our troops were not wanted in Canada in the depth of winter—they might as well have been at home; and I ask whether it would have made any difference in the settlement of this question whether those troops during the winter were in this country or in Canada? I say that to spend a million of money wastefully, that would now have been a great consolation to the hearts and homes of the famishing people in Lancashire, was a wanton waste of public treasure. It was a part of the policy of the noble Lord, which has always been a "sensation" policy, the object being to govern the country by constantly diverting its attention from affairs at home to matters abroad. These are the grounds why I think that, as a party, we have no reason to congratulate ourselves, at least, upon the close of this Session.

Now, I want to say a few words upon the relation of parties in this House. I say that the state of parties in this House —speaking logically, for I do not wish to give offence — is not an honest state of things. And I say so for this reason— the noble Lord is not governing the country with the assistance of his own party. I have no hesitation in telling the noble Lord, that if the party opposite had, at any time during the last six weeks or two months, brought forward a vote of want of confidence in the Government, there are a sufficient number on this side of the House who would have given them the opportunity of carrying their Motion. Why have the party opposite not taken that course? I will tell my whole mind to hon. Gentlemen opposite now. I have spoken plainly to my own party; often before I have taken the liberty to speak as plainly to the party opposite, and they have never treated me the worse for it. I will tell them why they do not propose a vote of want of confidence in the noble Lord. It is because large numbers of them have greater confidence in him than they have in their own chief. What said the right hon. Gentleman the Member for Cambridge University, on that occasion when he refused to stand to his guns in the premeditated attack on the Government? The right hon. Gentleman said—

Mr. SPEAKER: Order, order! The hon. Member will understand that to read extracts from speeches made in former debates during the present Session will be out of order.

Mr. COBDEN: Then I will only give the substance. The right hon. Gentleman said that Lord Derby had stated both publicly and privately to his party, that he did not wish to displace the noble Lord. Well, but have hon. Gentlemen on both sides of the House sufficiently appreciated the full bearing of that? What becomes of government by party? To whom is the noble Lord responsible for his acts? If he carries on his Government by means of hon. Gentlemen opposite, I say to them, without hesitation, "You are in power without the responsibilities of office." And what a state of things is that? Do you think it can last? Will the country allow it to continue? I know that there are men on your side of the House who have confidence in the noble Lord, because they consider that he is as good a — I will not use the word Conservative, because I regard myself as much a Conservative as any of you. ["Oh, oh!"] I think I have been the most Conservative politician of my age—["Oh, oh!" "Hear, hear!" *and cheers*]—but I will say that they believe the noble Lord to be as good a Tory as any of them. But what becomes of government by party, if you step in and enable him to carry measures in opposition to a considerable section of his own party? He is, and must be, a sort of despot as long as this state of things lasts. But do you think it can last? We need not mince the matter, or be mawkish about it; we hear it in private, in the library, and in the committee-rooms, that you think the noble Lord carries out your policy to an extent which your own chief would not be allowed to do. I believe that. I believe that he obstructs reform, and spends more money a great deal than would the right hon. Gentleman the Member for Buckinghamshire. But do you not think the game is nearly played out? The noble Lord has managed to act a popular part, and he has had what the French call *claqueurs* in the press, who, I admit, have done his work very well. But let us analyse the noble Lord's character as a Liberal Minister by his acts. How does the noble Lord treat his own party on questions in which, if they are honest men, they must be assumed to have considerable interest—considerable conscientious interest? Take, for instance, the question of the ballot. I do not intend now to argue the question; I wish to see the principle carried out. I will not now argue the right or wrong of the question. I look upon it as far more a moral than a political question; and I think that you Conservatives, as you call yourselves, are under as great delusion about the ballot as you were about the Corn Laws—and that if you had the ballot for five years, you would no more wish to part with it than we should. Wherever I have seen it in operation it has thrown an air of morality over the process of voting. There has been an absence of violence, there has been no riot, no drunkenness, no noisy music; the whole proceeding has been as quiet and orderly as going to church. How, then, does the noble Lord treat the question of the ballot? Whenever it is brought on, does he not ostentatiously get up and place himself in the front rank of its opponents, ridiculing and throwing contumely upon the ballot and those who advocate it? Take another question—that is that of the church rates. How has that question fared under the leadership of the noble Lord in this House? If you go back for seven years, you will find that church rate abolition was in a triumphant majority. Mark how that majority has dwindled down under the leadership of the noble Lord. First of all to a tie, when the Question had to be decided by the casting vote of the Speaker, and then to a majority of one against it. But if, when the question stood in a large majority, we had had a leader such as the party on this side ought to insist on having, that leader would have taken up the question and dealt with it in a becoming manner. Take other questions, in which Members on this side of the House take an interest, and which affect religious bodies who are generally found sending Members to this side of the House—the Burials Bill, the Marriage Affinities Bill, the Grammar Schools Bill and other similar measures—they have all gone back under the leadership of the noble Lord. Why is that? Because the noble Lord is known not to be very much in earnest about these things. The consequence is that the conduct of the whole party becomes slack, and the principles advocated by the party lose ground. Take other questions to which the Government is not exactly committed. There is the Poaching Bill. I think you are wrong in forcing that measure. You will hear of it again, and had better not. I could not wait here till two or three o'clock in the morning to vote against that Bill; but I recommend you to take the advice of the Nestor of your party (Mr. Henley), and drop the Bill. What was the conduct of the noble Lord on that subject? The right hon. Gentleman the Home Secretary proposed Amendments, and opposed the Bill, giving many very good reasons for doing so. There have been innumerable divisions by day and night, but have you ever found the noble Lord voting against the Bill? No; he has given one vote, I believe, to help the Bill to be introduced, but he has not given a single vote against it. Why? Because he knows exactly how to please hon. Gentlemen opposite. He says in effect, "I do not act along with these low people around me; I sit here, but I am doing your work for you." Take another question—the Thames Embankment. I think there never was so audacious an attempt made to sacrifice the interests of the many to the foolish and blind convenience of the few. How did the noble Lord act in that matter? He wanted delay, spoke about what might be done at some future time, but he did not vote for putting an end to the monstrous assumption at once. How does all this operate? It operates in two ways to serve the party opposite. In the first place, hon. Gentlemen opposite have their own way in everything; and, in the next place, the Liberal party is being destroyed for the future. The longer we sit here and allow ourselves to be treated with contumely through the questions in which we take an interest, the weaker we shall become, and the oftener we shall be defeated by our opponents on the other side. All this comes entirely from the character and conduct of the noble Lord. I have never taken much part in personal politics or change of parties, but I have had communications with hon. Friends sitting near me, who assure me that it must not be repeated. There are many Members gone, and there are many present who have too much self-respect to allow this state of things to continue. Then we are asked to face the alternative always put by those who sit behind the Treasury benches—would you like to see the Conservatives in power? I answer that by saying—rather than that we should continue as we are, I would see myself in opposition. Let the Liberal party be in opposition, and then you will have an opportunity of uniting and making your influence felt, because you will have the popular support, inasmuch as you will be acting up to your principles. You are demoralized as long as you sit on this side of the House, and allow the Session to expire as this is expiring, with such a state of things as we now find. I am not creating this state of things. What I am saying is only anticipating by a short time what will explode in the country when Members again appear before their constituents. Suppose we face the alternative which is always threatened by hon. Gentlemen who sit behind the Treasury Bench—namely, the alternative of opposition. When I came into the House, in 1841, I came into the Opposition, the late Sir Robert Peel having a majority of ninety votes. Well, the five years passed in that Opposition were employed in laying the foundation of a public policy, and in leading the public opinion to principles which have been in the ascendant ever since, and which have, I believe, tended to create more contentment, prosperity, power, and wealth in this country than any measures that ever were passed before. Now, that was the work of the Opposition. I believe the same work would go on again immediately we found ourselves sitting on the benches opposite. I have no hesitation in saying, that it would be quite as desirable for the Liberal party to have the right hon. Gentleman the Member for Buckinghamshire sitting on the Treasury Bench and the Liberal party in opposition, as to have the noble Lord sitting on that Bench pretending to lead the Liberal party. But if we go on as we have been, where shall we find ourselves in a short time? Where will be our principles—where our party? Look at the Irish Members. I declare I look with great dread upon what is going on in Ireland. I am afraid that by-and by I shall find myself in alliance with the Orangemen; and I should not be surprised if we reached that lowest depth of degradation—namely, being sent to an election with a cry of "No Popery!" There is no amount of reaction that we may not apprehend if the present state of things is to continue. Some people say, because of this going backwards on popular questions, that there is a Conservative reaction in the country. I agree with the noble Lord the Member for Lynn, that it is a delusion to talk of reaction. Whoever may come into power, you cannot go on for two successive Sessions with such an Administration as we have had this Session. I say, therefore, that facing even that which I may regard as the worst alternative to this state of things, if there is nobody but the noble Lord to mislead us and mock our principles instead of enforcing them, let us go into opposition, and there we shall find leaders who will rally us to some principle. I have spoken thus freely because I thought there was a necessity for it. I would have spoken earlier in the Session if I could have found my voice; but I have now made a clean breast of it. What I have said (if there be in the words I have used any force of truth and logic) will have influence; if not, the words I have spoken will fall as wind. But, whatever happens, I know I speak in an assembly where there is a spirit of frankness, liberty, and manliness to hear and judge what I have said. I thank the House for the kindness with which they have listened to me.

VISCOUNT PALMERSTON: Sir, I must acknowledge that the hon. Gentleman who has just spoken has adopted the advice of his friends—though I am quite sure we may also attribute it to his own feelings—that in his remarks there was nothing personal. Whatever remarks he made in regard to me, therefore, so far from taking them amiss, I am really obliged to him for them. So far from doing me any harm with the country, I am quite sure, if they have any effect at all, they will rather do me good, and place me in a better position than before. The hon. Member complains that the present Government have departed from those principles upon which the Liberal Government was originally formed—namely, Reform, Economy, Non-intervention, and so on. Now, with regard to the first, I must be allowed to say, that if that measure has been for the moment set aside, it is not owing to the Government; it is owing in a great degree to the feeling of the House of Commons; it is owing in a still greater degree to the general feeling of the constituencies in the country; and it is most eminently owing to the course pursued in regard to the question by the hon. Member himself and by the hon. Member for Birmingham; for there is no denying that the tone which was taken on the subject by many of those who advocated the question, has had the effect of weaning from it a great proportion of those who were formerly most anxious for it. Now, in regard to economy, the hon. Gentleman takes, in my opinion, a mistaken criterion of what economy is. He seems to consider that economy consists simply in not spending money. Now, I consider economy to be this—the judgment which sensible men make of the wants of the moment, and of the best means of satisfying those wants at the least expense and with the greatest efficiency. If this be so, it is quite irrelevant to tell this House and the country that in a given year, now gone by, the expenditure of the country was so and so, and the navy and army amounted to such and such a number, unless you show that the circumstances of the country and of the world at the former period were precisely the same with those of the day in which he speaks. The hon. Gentleman, who is not very correct in his dates, spoke of the Estimates of 1858 as if they were those of the hon. Gentlemen opposite. He forgets that the Estimates of 1858 were the Estimates of the previous Government, of which I had the honour to be a Member. They were merely adopted by Lord Derby's Government. The Estimates of 1859 were those of Lord Derby, not the Estimates of 1858. But, I say again, it is useless to say that in 1858, or in 1835, or in any former year, the expenditure of the country was so and so, unless you show that at that time the circumstances and wants of the country were the same as at present. If the hon. Gentleman contends that the expenditure of the country for the present year, naval, military, and civil, is greater than the wants of the country require, one can only regret that the loss of his voice at the critical period prevented him from stating the reasons on which that opinion was founded. But I believe that opinion is at variance with the opinion of the House and of the country. With regard to the army, every endeavour was made to diminish it by the hon. Member for Brighton (Mr. Coningham); but he was not supported by the opinion of the House or the country. Facts are more conclusive than arguments. If the country were of opinion that our military establishments were too great—that our naval forces were too great—I imagine the consequence would be that the people of the country would abandon themselves entirely to industrial and commercial occupations—they would say the Government have overdone our defence; we may devote ourselves quietly to our mercantile affairs. But that is not the case. We have seen for the last three years the people of this country, deliberately and in the most manly manner, organizing themselves and training and drilling thmselves for the eventual defence of the country; a proof—a decided, mathematical, logical and demonstrative proof—that, in their opinion, the military and naval defence of the country is far from being overdone—not extravagantly raised to a preposterous amount, as is the opinion of the hon. Gentleman—but, in fact, wants that supplementary assistance which their voluntary services afford, and which they so zealously continue to give. I set the opinion of the nation against that of the hon. Gentleman, and I say the facts do not countenance his opinion. But then, he says, we have been perpetually negligent in adapting in time our means to the end to be accomplished. He says we went on for a long time building wooden sailing ships—that the right hon. Gentleman opposite (Sir John Pakington) took to building steamships—and then that we were obliged to adopt iron-cased ships; but in all these cases, he says, we were behind-hand with the necessity, and did not adopt the new arrangements till after others set us the example. That may be, and no doubt it is, a ground for charging apathy on the part of the Government from time to time; but it is not a ground on which to charge them with reckless expenditure. Successive Governments have not run into arrangements, which were necessarily more extravagant than those of former years, until they saw them to be necessary. We know that a sailing ship costs as many thousand pounds as there are guns—a 100-gun ship £100,000; whilst in the case of steam-ships it is £1,500, and iron-plated ships nearly £2,500 per gun; and it was therefore from no reckless desire to spend public money, but from a disinclination hastily to incur large expenditure, that successive Governments have paused before they adopted more expensive methods. The hon. Gentleman referred to what I said on a former occasion as to the relative force of the English and French navies in iron-plated ships. What I stated was that the number of iron-plated ships, built and building in France, was thirty-six, and the number built and building in England was only twenty-five; but I may now state that I have reason to think, that by the end of the present year my noble Friend at the head of the Admiralty will have a force of such ships built and ready for sea equal to that which France will have at the end of that time. But the hon. Member says that all this is owing to me, and he adds that in which I entirely agree with him—namely, that if it can be shown that I have cost the country 100 millions of money, I should be very dear at that price. But I entirely disclaim having had either the blame or the merit, as it may be thought, of the measures which produced that expenditure. That expenditure, whatever it may have been of late years, has been the result of the judgment of the Government, of this House, and of the country, as to what was necessary to maintain England in the position among the nations which she ought, and which she is entitled to occupy. It is quite idle, therefore, to say that the merit or demerit of that belongs to one individual or to another—it belongs to the collective judgment of the whole British nation. But, strange to say, the hon. Member quoted, in order to condemn me, a work written by Archbishop Whately. Why, what was that work? It was a satirical book, in which the author produced a number of arguments, plausible but false, to show that no such man as Bonaparte ever existed. The hon. Gentleman adduces these very arguments, confessedly plausible and false, to prove that I have been wrong in the policy I have pursued. I really think his illustration recoils upon himself, and that he is confuted by the witness whom he himself summoned into the box. Sir, I really plead guilty to the charge which has been brought against me — as Mrs. Malaprop says, "I admit the soft impeachment," and in admitting it I feel that I am admitting a matter of praise rather than one of censure. I frankly own—and I agree with the hon. Member, that if the people of this country are pleased to entertain a good opinion of me it is upon this ground —I frankly own that I have all along been anxious for the honour, the interest, and the safety of the empire; and it has been my object, as far as any small influence which I might possess could extend, to persuade both Parliament and the country to avert dangers which, if not guarded against, might at any time come upon us. I am quite ready to go to the bar of public opinion with the hon. Gentleman upon that point. I contend that the very accusation which he makes against me is, in fact, a ground of merit. If the country should think otherwise, as I believe it will not, of course he would be right and I should be wrong. Therefore I freely acknowledge that I have advocated at one time the establishment of a Militia, and at another that the dockyards should be defended against attack. And although the hon. Gentleman may quote the opinion of "an artillery officer who sat under the gallery," I think if that gallant officer were put in command of the troops who had to defend the dockyards, without the aid of fortifications, he would say, "How much better it would be if the opinion of the noble Lord at the head of the Government had been taken, and I could place my men behind works." I do not, however, attach very much value to the opinion of that artillery officer; who having, through the kindness of the hon. Member, obtained a seat in this House, to which as a stranger he perhaps might not otherwise have been entitled, was probably desirous of showing his gratitude by writing a letter leaning to the views of the person to whom he was indebted for that favour. Then the hon. Gentleman says that all the difficulties which have come upon this country in various parts of the world have been owing to my meddling policy, and to my habit of supporting those who act under me. Again, I confess to the charge preferred against me. I do think that those who employ officers in distant parts of the globe, are bound to support and defend them, as long as they believe that they have done their best according to their sense of duty, and have not acted in a manner deserving of just blame. That has been my practice as far as I have had to deal with such matters; and therefore I am rather proud to have this testimony from the hon. Member that our agents in remote parts of the world act in the confidence that they will be borne out and supported by the Government at home. But that what they have done has been wrong I utterly deny. The hon. Member alluded to various former events; but I will follow him only as to the most recent. He took the case of China, and he said, "We are going to involve ourselves in a war with the whole of China, or, at least, with a great part of the Chinese nation; we are about to take part in the civil war raging in that empire." Sir, we are going to do no such thing. What we are going to do is that which we have announced to this House and to the country—namely, that whereas, at a great expense of men and money, we had obtained great commercial advantages in China, to which, whatever may be the opinion of the hon. Member, the commercial interests of this country attach great importance—advantages which are capable of being greatly developed, and which may come much to our help now that our trade with the United States has been much crippled—we have felt it to be our duty to use the means which we have in China for the purpose of defending the seats of British industry and commerce there from the desolating ravages of the rebels, who have been laying waste a great part of the Chinese empire. But we are not going beyond those precincts—we are not going to advance into the interior to put down rebellion, and establish the authority of the Chinese Emperor. It is for the Emperor himself to do that. What we say to the rebels is, "These ports are ours, or at least they are secured to us for our commerce by treaty with your sovereign. These ports you must respect. Roam where you like in all those 400,000 square miles which my hon. and gallant Friend (Colonel Sykes) states that the Taepings occupy; we will not meddle with you, but do not you meddle with us; respect our commercial ports; and that means also that small part of the country around, which is essential to the supply of sustenance to the people living within them." I do not think our policy in China is an improper policy, or one which the people of England will be disposed to condemn. But the hon. Gentleman says that all these things are the reasons why the Government ought no longer to possess the confidence of the nation. He did not advert to one great feature of our policy, to which I should have thought he might have given some praise, in order to counterbalance such a weight of censure as he laid upon its other features. I allude to the neutrality which we have observed in the contest now waging in America. Certainly, there were not wanting those who were very urgent that we should take a part in that contest. We have declined to do so, and we have, therefore, avoided any conflict with the United States. But the hon. Member says we were very much to blame for having sent a certain number of troops—8,000 or 10,000—to Canada in the course of the winter. He says that was an unnecessary step and an expensive one. We know it was attended with some expense. But the hon. Member used a very curious argument, for he stated that we ought to have waited to get an answer from the United States Government before we sent out the troops. He says we were told by the American Minister here, before the troops went, that the act of Captain Wilkes had not been ordered by the American Government. But the American Minister did not tell us that it was disapproved—he did not tell us that it would be disavowed—he did not tell us that the insult to the British flag would be atoned for by the surrender of the persons who were taken from the British ship *Trent*. Therefore, the communication which Mr. Adams made, and made with the very best intentions, was not a communication upon which we could have been justified in acting, so far as to forego any measure of precaution which in our opinion was necessary. But everybody recollects the ferment which prevailed in the United States, the language held at public meetings, the honours paid to Captain Wilkes at the theatre, the language held in Congress, and also the letter of the Secretary to the Naval Department, approving the conduct of that officer. Then, I say, we were justified in assuming that that difficulty might not terminate in a satisfactory and amicable manner. That being the case, I hold that we should have been extremely blamable if we had not taken the precautions which we adopted. The hon. Member says it would have been impossible for any army to have acted on the frontiers of Canada in the winter. But we know that upon former occasions operations have been carried on in Canada at that season; and for us to have waited till the American Government had committed itself by an answer which there was every reason to expect, would, I say, have been as unfair towards that Government itself as it would have been—to use a feeble phrase—improper towards the interests of this country. We should only have been misleading the American Government into the supposition that after all we might not really be in earnest. And I do believe that the measures which we took were most materially conducive to opening the eyes of the American Government to the consequences of a refusal, thereby enabling their calm judgment to determine upon the course which it was most for their interest that they should adopt. I take no exception to the tone in which the hon. Member has addressed the House; he has said nothing to which anybody could take exception; but I do say that all he has said of me is, in my opinion, really more flattering than I am willing to admit. The hon. Member holds me up to the country as the man who has led the country to adopt measures essential to its defence; who has opened the eyes of the country to the possibility of dangers; who has roused the slumbering vigilance of Parliament and the country, and induced them to adopt measures which are economical in the highest degree, as avoiding dangers that would be infinitely more expensive. When the hon. Gentleman paints that picture of me, I can only say that I think he has done me more honour than I deserve. I say that those measures were economical; because let anybody — not men conversant with military matters, but men who read what is passing in the world—let them judge for themselves what would be the expense of any landing upon our shores, of the destruction of our naval dockyards, of any material impression upon the country — what would be expense of those events as compared with the small expenditure we are incurring to render such attempts upon the safety of the country impossible. When we talk of the expense of fortifications, we are often told to imitate our neighbours. But what did the French do? They erected fortifications around Paris which cost at least six millions, but I rather believe eight millions sterling. That is an amount large enough to cover the whole charge for the fortifications which we have proposed for the protection of various points and our naval arsenals which are liable to be attacked. Therefore, so far from thinking that the country will join with the hon. Member in condemning those arrangements, my firm opinion is, that the more they are looked at, the more they are considered by artillery officers—not that one sitting under the gallery, but by the service generally—when they are consulted, I think those who differ from us now will come round to the opinion that we have done no more than our duty in proposing and inducing the House to consent to those arrangements, and I do not despair even of the hon. Member himself, if he will consult a committee of artillery officers upon the subject.

Then the hon. Member came to the state of parties in this House. He has been kind enough to talk of me as the leader of the House and of a party; but the language he holds is, that I am unworthy to be the leader because I am not disposed to follow him and those who agree with him upon any question, whether I concur in opinion with them or not. It would, no doubt, be not at all right for followers to follow a leader from whom they differed; but it is too much for followers to insist that the leader should follow them wherever they please. The hon. Member says I have opposed the ballot. I have done so; and I did it because I unfortunately differ from him in opinion upon that measure. He believes the ballot would be a moral good. I believe it would have an immoral effect. If he can convince me that I am wrong, I would be most ready to adopt his views, but until that time comes, sitting here, sent by those whom I represent to act according to the best of my judgment, I must take leave to act upon my own judgment, and to oppose a measure which I think would be injurious to the public interests. Then the hon. Member mentioned other public measures, and he was very much astonished that I did not stay until half-past three in the morning to vote upon the Game Bill. Whatever my opinion upon that Bill might be, it was quite evident that there was so large a majority for it, and so small a minority against it, that if I remained, I should only lose my sleep, whichever way I intended to vote. I did give my vote against a Motion for reporting progress, because I did not think that was a proper way of dealing with the Bill, whether I assented to it or not. Then the hon. Gentleman says the right hon. Gentleman opposite ought to sit here, and I there. I can assure the hon. Member that I care less where I sit than he may imagine; but as long as it pleases this House that I should sit here, and I feel that in sitting here I can perform well the duties I owe to the country, I am willing and desirous of sitting here; and I should be sorry indeed if, while sitting here, I should not have the support and goodwill, as far as their opinions will admit, of the hon. Member and those who think with him. He stated himself—and that is the real truth of the matter—that Parliament is no longer divided, as it was in former times, by a broad line of separation into two great parties antagonistic to one another. In those times every man classed himself according to an arbitrary rule, every one knew how each man would vote, and, in fact, the result of a division was as well known before as after the event. But, of late years, and especially since the reform of Parliament, that state of things has ceased to exist. Now, this House is divided into a great number of separate knots as I may say, each acting according to his own opinion or to the opinions of some one Member, to whom he looks, or according to the aggregate opinions of the persons of whom his particular knot consists. It is in vain, I think, to expect that the House of Commons will in these days revert to the old arrangement; and then what is the Government to do? One party says, "Do what we order, and we will support you;" but by doing that the Government may be losing much support in other directions. The hon. Member tells us that unless we do so and so—support the ballot, bring in a Reform Bill, and all sorts of things—we cannot have his support. Well, Sir, I shall be sorry to lose his support, and I can assure him that I do not think the country at large will be gratified to see him going, as he has intimated, into opposition. I do not think it would make much difference except as to his place of sitting. But I am willing to hope that we shall not lose the support of the hon. Gentleman. At the same time, in the divided state of parties in the House of Commons, which is mainly in consequence of the reforms made some years ago, it is quite impossible for the Government to act upon the slavish, and I may say jobbing principles which were practised formerly, of gaining united support by submission in conduct, such as the hon. Member desires to recommend. Now, any Government that respects itself must take its own line, and act upon what it believes to be its duty to the country. They of course expect support from those who sit upon the same side with itself; but if that support fail, and they happen to gain by concurrence of opinion upon any particular measure support elsewhere, why, of course they will not refuse that support. We are justified in that as long as we act in accordance with the dictates of our opinions, and propose measures which we think will be good for the country, or oppose measures which we think are bad. That is what we intend to do. That is what we have done. I believe that if any man will look through the list of Acts that have been brought into and carried through Parliament during the last two Sessions, he will find that as many measures of public benefit, of progressive improvement, have been passed as during any similar period of our history. I will not trouble the House by going through an enumeration; but if any one whose memory does not serve him will turn to the lists of Acts, he will see a great variety of most important measures that have been introduced and carried by the present Government. Then I say we have done our duty to the country, and therefore I think we have deserved the kind and cordial support which we have received from Members of this House. I should be sorry if in anything we have done or are likely to do we should forfeit that good opinion. We do, I think, enjoy the confidence of a majority of this House as testified by its divisions, and, really, I must take leave to say, with all deference to the hon. Gentleman, that I am satisfied we do possess the confidence of the country, especially in that for which he blamed us most—the course we have pursued with regard to America, and which has been sanctioned by the general opinion of the country. It is for the hon. Gentleman and those who act with him to judge. I should be sorry for good friends to part, but I cannot think that is likely to be the case here. As the hon. Gentleman says he has disburdened himself of all the objections that have been collecting in his mind during the Session, I hope, that having relieved himself, in the calmer moments of the recess he will look with kinder eyes upon the course which we have pursued, and judge in a more friendly spirit the intentions by which we are animated; that he will communicate with those of his friends in the country who may, as lookers-on, see more of the game played in this House than he does, and who may perhaps take a somewhat different view from that which he has now expressed. I will therefore trust to the reflection of the recess, and hope that the hon. Gentleman and those who act with him will find, that notwithstanding particular differences on special points, there is more general concurrence between us than he is perhaps aware of, and that we shall not, after his mature reflection, stand less well in his opinion than I am sorry to say we do at present.

MR. DISRAELI: Sir, the leading counsel in this great controversy between the Liberal party and the Reform Government having stated their case, it will not perhaps be presumptuous on my part to exercise judicial authority, and offer some remarks, by way of summing up, on the merits of the question. Sir, I confess that I am not surprised that a Member, and one so distinguished, of the Liberal party, should have felt it his duty to call the attention of the country to the relation that subsists between the Liberal party and the Government which they created. Indeed, I have for some time expected that the painful sense of their position would probably have prompted some hon. Member sitting opposite me to make remarks in that direction. But, Sir, though I have awaited with some interest for the criticism, I have been myself far from wishing to precipitate it. I am content, and I believe all who sit on these benches are content, with the present position of the Liberal party. I have no desire whatever to interfere with that gradual, but at the same time sufficiently rapid process of decomposition and demoralization that we have long watched —the inevitable consequence of the circumstances and conditions under which the present Administration was formed by the influence and authority and votes of that self-same Liberal party. Now, Sir, we have been reminded to-night by the hon. Member for Rochdale of those particular conditions and particular circumstances. I myself have no wish, and had no wish, to recall their painful recollection. I was content to be silent, and that the prorogation should take place without any comment on the present singular state of public affairs in Parliament. Such silence often expresses more powerfully than speech the verdict and judgment of society. But as the hon. Gentleman has brought the question before the House, let me make one or two remarks on this condition of public affairs—a condition which has been treated very lightly by the noble Lord who has just addressed us. Indeed, he seemed to have forgotten almost the very terms referred to by the hon. Member for Rochdale, which we know were not assented to without some difficulty, and certainly assented to with considerable ceremony. The existing Government was formed for two purposes most distinct and most direct. They were to pass a more democratic Reform Bill than had been

proposed by their predecessors; and they were to extricate the country from the dangerous position in which their predecessors had placed it in relation to France. Those were most distinct conditions. They were not whispered in a corner, but they were paraded with great pomp, not only in this House but in another place, which became as memorable for the moment as the House of Commons. The Government was formed to carry a more democratic Reform Bill. I need not remind the House that no Reform Bill of any kind has been carried. But the strangest defence that I ever heard was that which we have just listened to from the noble Lord as the reasons why the Government failed in this their first engagement with their party and the country. It was found, says the noble Lord, that the House was not particularly anxious for a Reform Bill, and the country did not much care for it. Is this the language we have a right to expect from a statesman of unprecedented experience—of one who is supposed not to act upon very grave matters but after due and deep reflection; a statesman, we assume, gifted with a fine observation of the temper of the times, and actuated by some sense of that responsibility which—though the House, as we are told to-night, may be broken up into fragments, and manipulated by a dexterous parliamentary tactician —by a responsibility which I still hope influences the conduct of a British Minister? Why, Sir, what were the antecedents of the noble Lord with respect to this question of Reform? A measure for the reconstruction of this House was brought forward by the late Government—I give no opinion on its merits, and I court not criticism—but it was a measure that was opposed by the noble Lord because it was not sufficiently comprehensive and sufficiently democratic. And it was animated by that conviction and influenced by that feeling that the noble Lord felt himself authorized to counsel a course and join in a vote which he knew would lead to a dissolution of the existing Parliament. Parliament was dissolved, the opinion of the country was given—the opinion of the country, whatever might be its verdict—I wish now to enter into no controversy on that point—the noble Lord, with his keen perception and great experience, must, I suppose, have been as able to judge as any of us; and after that verdict of the country had been taken—after the dissolution which he had forced—after the public judgment of the people had been offered for his consideration—the noble Lord entered into a confederacy, attended a public meeting in a public place, and made terms with the leaders of those convenient sections which are now to be managed in violation of the traditions and spirit of the English constitution, and there and then entered into an engagement to bring forward a more democratic Reform Bill than their predecessors whom he had defeated. And is it to be tolerated now that he should come forward with these jests, with this frivolous levity, and tell the parties whom he has deluded, and the people in the country whom he has disappointed, that after such grave conduct, with such an opportunity of forming an opinion, he finds that neither the Parliament that had been just elected, and of whose temper he was most competent to form an opinion, nor the people whom he had just left, really cared anything at all about Parliamentary Reform, and treats it as one of those manœuvres by which a Minister who does not rule a party contrives to get a majority? I am not at all surprised that a sincere Member of the Liberal party should be extremely astonished at the course that has been adopted with regard to Parliamentary Reform. I admit that Governments are not to be changed every day; and if the noble Lord, after the vote which led to the dissolution of Parliament—if the noble Lord, profiting by the experience which this public verdict of the country afforded him, had called his party together and had told them, "I am of the same opinion that I was, that a more democratic measure of Parliamentary reconstruction than that advanced by Lord Derby is the sound policy of this country; but I do not think, in the present temper of the country, it could be carried in Parliament. I throw myself on your generous confidence: do not press me to stake my existence on such a measure"—I dare say that party would have taken the common-sense view of the measure which Englishmen generally take. But I do think, that if the noble Lord was unable to carry a Reform Bill, he ought not to treat Parliamentary Reformers with habitual and studied contempt; that in speaking of the principles which, after all, made him Minister, and without which he could not have been extricated from a hopeless position on this bench, he should not treat the supporters of those principles with the contumely under which the hon. Member for Rochdale and his friends naturally smart. This at least they might have expected from the noble Lord—that he should profess, even if he did not practise, the principles of his party, and should not hold them up to public contempt and public odium. Now, this having been the conduct of the noble Lord with regard to the first great condition on which he obtained power, I must say I was much astonished to-night to hear the noble Lord say that the principal reason why he was defeated in his reform policy, and why he had not succeeded in carrying a measure for a Reform of Parliament, was the conduct—the inconvenient, the irrational, and outrageous conduct—on this subject of the hon. Member for Birmingham. Was not the hon. Member for Birmingham a colleague and confederate whom the noble Lord met on the platform of Willis's Rooms? Were the spirit, the policy, and the opinions of that hon. Member unknown? Whatever may be his faults, whatever may be his errors, this I think we shall all admit, that there has never been any attempt to conceal his opinions; but that, on the contrary, he has always expressed them with frankness—with perhaps a fatal frankness as regarded the attainment of his object, but certainly in a manner that left none of us ignorant either of his views or of his ultimate purposes. Yet this is the individual whom the noble Lord now singles out as the man who, by his indiscretion, prevented that great Parliamentary Reform policy from being carried into effect—forgetting, as he spoke, the regular programme of all sound Reformers, and stumbling when he tried to repeat the "credo" of their faith; he must have forgotten, also, the solemn compact into which he entered, at Willis's Rooms, with the hon. Member for Birmingham. I believe that the fact of his not having fulfilled his engagement might be accounted for in a more dignified and dexterous mode than that in which he attempted to account for it to-night. But that he should hold up to scorn the man who made him Minister—that he should point to him as the man whose conduct rendered him unable to carry his Reform policy into effect—appears to me an ungenerous indiscretion, and one which the people of this country, whatever may be their opinion of the hon. Member for Birmingham, cannot approve and sanction.

So much for the first condition on which this Government was formed. Let us now look at the second. I have no more wish to be personal than the hon. Member for Rochdale; but I am obliged to make the noble Lord the hero of these remarks, because these are acts in which he had no colleagues to be responsible with him. The noble Lord was not Minister when he was on the platform at Willis's Rooms. He was not Minister when, standing before this very box, he called upon the new Parliament the moment it had assembled, and in the most precipitate, and, as I think, the most unusual and indecorous manner—he called upon it for a vote of want of confidence in the then existing Government; not merely because democratic reform was in danger, but because—and he did not say it hypothetically, the statement was grave, precise, and positive—because we, the then Government, had pledged ourselves to the Government of Austria on the questions then pending between Austria and France, and because peace with France, under these circumstances, was in danger. He counselled the House to vote a want of confidence in our Administration, because our foreign relations had been mismanaged or perverted, and that war with France was imminent in consequence of the short-sighted and prejudiced manner in which we had upheld the interests of Austria. That was not expressed hypothetically—it was a grave, precise, and positive statement. And yet, what did this very Minister do only a fortnight later? He rose in that seat which he had gained by pledging himself to a measure of democratic Reform—he rose in that seat, and said that with regard to foreign policy the course of his Government had been chalked out by their predecessors, and that course they intended to follow. I am not, therefore, surprised at the feelings which have been expressed to-night by the Liberal party through an exponent whom they must undoubtedly respect. They turned out the Government without discussion, in the absence of all evidence, not waiting even to read the records that had been printed, and that were in their hands twenty-four hours afterwards; they turned out the Government in order to obtain a more democratic reform of the House of Commons than we could consent to, and in order to save the country from a war with France, which they had been assured by the noble Lord was imminent. When they find they had not a Reform Bill, when they find that the noble Lord and his colleagues immediately pursued, in regard to foreign affairs, the course their predecessors had chalked out, and that during the three years that have elapsed since the noble Lord has become the Minister of this country, not three months have passed without his being involved in the most unseemly and the most violent courses with the French Government; when they remember that he has denounced the Government and the Emperor of France; that he has authentically informed us that he was going to look for new allies, and that on every public occasion on which the relations between the two countries have been brought under discussion in this House, those discussions arose from misunderstandings between the Governments of the two countries—I am not surprised that the Liberal party should also be somewhat disappointed that the second condition on which they made the noble Lord Prime Minister of this country has been so unsatisfactorily fulfilled. The noble Lord, indeed, told us the other night — I listened — and although I am not now going to enter into any controversy with respect to foreign affairs, I must confess that I heard the statement with amazement—the noble Lord told us the other night that there existed between the Governments of England and France a most perfect understanding upon all matters of public policy. But what are the matters on which this perfect understanding exists? Are they the affairs of Italy? Are they the affairs of Mexico? Are they the affairs of America? Is there, above all, such a perfect understanding on the Eastern question in all its ramifications? If there be that perfect understanding between the two Governments, all I can say is that the people of this country are mystified beyond expression; for the general assumption, not only of England, but of Europe, is, that upon all these matters there exist at this very moment great misunderstanding and misapprehension between the Governments of England and France.

So much I have felt it my duty to say with regard to those conditions which the hon. Member for Rochdale reminded us were the true conditions on which the present Government was formed. But I think that, before I leave that part of the question, I ought to do justice in some degree to the noble Lord as far as the first condition is concerned. I do not think that the noble Lord acted with any insincerity on this subject. I know there are some of my friends—ardent admirers of the noble Lord—who give him credit for great insincerity. But I act with greater generosity, and, I believe, with greater justice, towards the noble Lord. The noble Lord made his conditions, and the result of those conditions may not have been very satisfactory to the Liberal party, but they have been very satisfactory to the noble Lord. They put him on that bench; and I believe the noble Lord was perfectly prepared to give a more democratic Reform Bill if he could pass it. Nor do I think that the noble Lord would be in the least delicate as to the degree or character of the measure. But as the noble Lord could not pass it, with that tact which distinguishes him he found out suddenly that Parliament was broken into fragments; that party Government was a hoax; and that he must throw himself on the Conservative reaction of which we have heard so much, and in which I believe myself quite as much as the noble Lord. The noble Lord appears to me completely, entirely, and indisputably to represent that Conservative reaction. Under these circumstances, it is not at all to be wondered at that the Liberal party, imagining they had formed a Government and constructed their ranks to obtain two great political results—a large increase of democratic power at home, and safety from war with one whom they look upon as a cordial ally abroad—it is not to be wondered at that they should feel a little disappointed, and not so satisfied with the course of affairs during the last three years as the noble Lord and some of his colleagues. But it is possible that we on this side of the House may have a compensation for this disappointment. We do not share the disappointment of the Liberal party; we are quite content that there should not be a more democratic Reform Bill passed than that which we proposed; we are satisfied that our relations with France were such as became the English Government at the time that we directed affairs. It is possible, without going into any inquiry as to the circumstances under which power was obtained by the noble Lord—it is possible that he may have exercised that power during those three years in a manner highly satisfactory to the country, and conducive to the general interests of the realm. Let us see if that is the case, because if we find that the administration of the noble Lord has been of that character, whatever may be the feeling of the Liberal party, I am convinced that the verdict of the people of England will be in favour of the Government—that they will not care for the antecedents on which the Liberal party dwell—they will say that was the affair of the Liberal party, and that if they chose to make terms which were impossible, and to enter into conditions which they knew could not be carried out, that was their business; and if the noble Lord so exercises power that his Government has promoted the public good, then they would be satisfied that he should be Minister. Let us see how this stands. I think that the first question, and after all the most important question to this country which we can consider in the House of Commons, is this—are our finances in that state of prosperity or in that satisfactory condition that we should reconcile ourselves to the government of the noble Lord, even if he behaved so badly to his own party? I say this—I say it gravely, with no exaggeration I am sure, and with a sense of responsibility—I say it without entering into the causes—I do not wish to enter into causes to-night; I am now stating facts—I say that our financial condition is as dangerous at this moment as it was in the year 1840—that since the year 1840 the finances of England have never been in such a critical state. In fact, the circumstances of the two periods very much resemble each other. You have now that which you had in 1840. You have had two large deficits—two large and continuous deficits. You have commenced the year without a surplus, and all that has since occurred proves almost to demonstration that you must contemplate a third deficiency. You have increased your military charge by this war with China, which, however it may be described by the noble Lord, will lead, in my opinion, to a vast and an indefinite expenditure. You have had the accounts of the first quarter of your revenue published—the quarter in which those who took the darkest view of our financial position did not contemplate any serious result—and yet what do we find in that quarter? We find in it, under the head of Excise alone—the principal item of your revenue—a deficiency on the estimate of the Chancellor of the Exchequer to the amount of £300,000. This is the position of our finances—the financial position to which we have been brought by the Government of the noble Lord, which obtained power, as we were told to-night, under such doubtful and disagreeable circumstances; and this state of our finances does not offer any compensation for that disappointment to his followers, and that outrage on political propriety which always ensues when the chief of a party deserts the principles on which his political connection was formed. I say that in the state of the finances of the country there is no compensation for that conduct. The state of our finances is most critical, and our financial prospects are dark and dubious.

But the noble Lord will, perhaps, say, "We have a great expenditure, and we may have had an income not equal to that expenditure; but your money has been well spent—it has been spent in the noblest and the most necessary of objects for a free people—the defence of their shores." Well, I admit that if the noble Lord could prove that to be the consequence of his policy, he would establish a considerable claim, if not to public favour, at least to public indulgence. But we must examine this point carefully—we must not allow ourselves to be led away by declamation. The noble Lord makes it his chief claim to public confidence that he has, above all Ministers, amply provided for the public defence. Now, in the first place, I say that when we delivered over the conduct of public affairs to the noble Lord, the defences of this country had not been neglected. We left in this country 100,000 regular troops. That number has been diminished, not increased, by the noble Lord; and it has been diminished by means of that questionable proceeding, the expedition to America. We also left the noble Lord an organized militia, and he has not improved that force. Again, the rifle movement, which I look upon as one of the greatest achievements of this country, and which I trust will be as permanent as it is successful, was established by us, and the noble Lord can take no credit to himself for having formed, fostered, and encouraged it; for the first expression which he used with regard to it as a Minister, was a phrase of derision, when he called it "the rifle fever." Neither the Volunteer force nor the Channel fleet was established by the noble Lord. There is, however, another point of very great importance in reference to the national defences. The noble Lord boasts

of the measure he introduced for defending the arsenals of the country. I will merely observe that the measure adopted by the Government in respect to our defences is a very doubtful one. I am not now giving any opinion upon it; I wish to avoid as much as possible any unnecessary controversy upon this occasion. It is, I say, a measure of a doubtful nature, and one in respect to which opinions are contradictory. I put that question aside, however, for the moment, and I turn to a point on which, among all parties in this House, there is no doubt and no controversy as regards our national defence—that is, that our principal means of defence should be our fleet. Now, what has the noble Lord done with regard to the fleet? No one denies that we left him, as regards that fleet, a commencement at least, and a most efficient commencement, of that fleet of the future of which we have heard to-night. The noble Lord himself tells us that our fleet is in a most unsatisfactory position. Then, I ask, why is it in such a position? We know that the noble Lord throughout his tenure of office has had unlimited means at his command; we have it in evidence that he has —I will not say wasted—but that he has spent £12,000,000 on the dockyards alone since he obtained power through that compact entered into at Willis's Rooms. What have we got for that money? I say that £12,000,000 were never expended in a manner more thoughtless, more inefficient, and producing less results. And what is the defence of a Government in that case? The First Lord of the Admiralty, in another place, unable to vindicate the condition of affairs, took refuge in the acknowledgment of a general ignorance upon the subject. He said that it required a long series of experiments before you can decide upon anything; and when the Government were charged with not having created an iron fleet, although they have spent £12,000,000 in the dockyards, the only reason assigned for that was that the House of Commons had never pressed them upon that subject, or expressed any opinion upon it. Now, what are we to think of a Minister, who, after having wasted nearly £12,000,000 on dockyards during three years of office, can offer no other vindication of the fruitlessness of his labours than that the House of Commons did not take up the subject of the reconstruction of our navy, and urge the Government upon the matter? Why, for what have we a Ministry? And was it worth while, for the purpose of obtaining such a result as this, to have meetings at Willis's Rooms, to enter into political compacts, and to attempt to regulate the conduct of a great nation on principles in which you had no confidence, and on a policy which you knew you could not carry into operation? I do not think the House will agree, that if our finances are in such bad order as they are—if we have spent these many millions, we have any compensation in an efficient expenditure, and in the results of that efficient expenditure. We have it not. Therefore, it is not on grounds of good management of the revenue; it is not on the ground of the efficient mode in which he has organized our navy, the principal means of our defence, that the noble Lord can lay claim to public confidence, or that any compensation can be be found for the conduct which the Government have pursued towards their own party.

What other grounds remain on which they may be more successful? Well, Sir, I was quite surprised that the noble Lord did not flourish a little more to-night on our foreign policy. Perhaps I should not say I was quite surprised, because I think there were many reasons why we were not treated to any very lengthened remarks on that familiar subject. In the first place, when you come to argument, and escape from the atmosphere of declamation, so convenient in popular assemblies on such a subject, the matter lies in a very narrow compass. Foreign policy consists partly of words and partly of deeds. As far as words, it takes the form of despatches and of counsel given to diplomatic agents. The only proof that the noble Lord could give us that his diplomatic words have been successful, would be the allegation of the results which they have produced. But we have not heard a word about results. We have often heard of the words and the representations of the noble Lord; but we have never yet heard, since he has been in office of any consequence that he has attained, or any results that he has achieved. Therefore I throw out of consideration that part of diplomacy which consists only in words. But in foreign affairs we have acts. What are they? A war with China is really the only fact we have—a war with China which, in my mind, was entered into in the most rash and imprudent manner—part and parcel, indeed, of a most rash and imprudent system, perfectly in union and harmony with all that the noble Lord has counselled on the subject before, and ruinously counselled for the interest of the country. But as regards foreign affairs, the only fact before us in these three years of the noble Lord's administration is the China war. I do not think, therefore, that the foreign policy of the noble Lord is an absolute compensation for the broken vows at Willis's Rooms, of which we have been reminded to night by the hon. Member for Rochdale. But let us be just. It may be that they have broken their engagements to their party; it may be that their finances are in a ruinous condition; it may be that the defences of the country, resting principally on the fleet, notwithstanding the lavish expenditure of the public resources, are in an unsatisfactory and perilous state, as the noble Lord admits and proclaims; it may be that our foreign affairs are so managed that we have embarked in a dangerous future with regard to a distant country, where the population is enormous, and where our resources are farthest from us—all this may be true, but still the members of the Government may be men so distinguished, their general conduct of affairs so vigorous and efficient that they may distance all competition, and in their general demeanour and conduct offer compensation for all the disappointment we experience, and all the dangers we have to encounter. Is that so? Sir, a very great part of the time of the two Houses of Parliament during this Session has been taken up by listening to evidence of the most unseemly brawls and misunderstandings between the different Departments. Not only in this House, but in another place, have we had dissension between the Treasury and the Admiralty, which I am sure neither House can have forgotten, and which has exercised a great influence on the public mind. We found our sailors deprived of their hard-earned prize-money, to which they were legally entitled; we have had squabbles between two Departments of the State, the accounts of which, if they had appeared in some newspapers, we should have looked upon as malicious libels, and should have expected that the Attorney-General would have been called on to prosecute the promulgators. But scarcely had the two Houses and the country recovered from that painful surprise, when they find the Colonial Office and the Treasury at loggerheads; and more than that, we have evidence before us that there has for years been between those two Departments a chronic misunderstanding upon an important point. I need not remind the House of the painful rivalry of a morbid character between the First Commissioner of Works and the First Commissioner of Woods. That was distressing enough; but ere these scandals are forgotten comes the Secretary of State for India, and, with vindictive gaiety, scoffs to the winds the Chancellor of the Exchequer whom he had himself sent out to India, and proves in the most satisfactory and elaborate way to the House, that this highly-gifted Government, which shows such discrimination of human nature, had found out the most unfit and unbecoming person to send out to India to fulfil the gravest duties and incur the gravest responsibilities. Sir, this goes on to the very end—these unseemly discordances of a Whig Government. Only a few nights ago a right hon. Friend of mine brought forward with great ability the question of our relations with our important colony of Canada. Up jumps the Secretary of State, and says that for his part it would be with the utmost cheerfulness that he should witness a dissolution of the ties between the mother country and Canada. No sooner has he ended, and a few remarks are made by somebody else, than the Prime Minister rises and says, that with the connection between the colonies and the mother country are identified the greatness and the happiness of England. Well, Sir, I cannot therefore find in this impartial analysis—forced as I am to sum up the evidence, and give a judicial opinion between the two parties—any extenuating circumstances for the violation of engagements which will offer any balm to the outraged feelings of the great Liberal party. But, Sir, as the noble Lord has informed us that he no longer recognises the existence of any parties in the State, but that he looks on us as counters that he means recklessly to play with for the gratification of his own ambition, I may be permitted to say, that although the outraged feelings of those who made him Minister have to-night been expressed—I believe with dignity and truth—by the hon. Member for Rochdale, and though the noble Lord has himself admitted that so far as this Session is concerned he has little to pretend to which can recommend him to public consideration, but falls back on the achievements of former Sessions to excuse the shortcomings which he does not deny, I will at least say for the Gentlemen who sit on this side of the House, that the past Session is a Session upon which they have no reason to look back to, as a party, with regret. We have, in the first place, this Session, after long years of difficulty, and sometimes almost of despair, triumphantly vindicated the status of the Church of England. ["Hear, hear!"] The hon. Gentleman opposite, whom, I believe, I may call a Minister (Mr. Layard), sneers at the Church. Sir, there are few great things left, and among them is the Church. We have done this in a manner, too, most satisfactory, because we have done it by Parliamentary discipline—by Parliamentary discipline founded on its only sure basis, sympathizing public opinion. Sir, I think we have done more. Ever since that period of disaster and dismay, when my friends and myself were asked for the first time to sit upon these benches, it has ever been our habit, in counselling the Tory party, to recur gradually, but most sincerely, to the original elements of that great political connection. To build up a community, not upon liberal opinions, which any man may fashion to his fancy, but upon popular principles, which assert equal rights, civil and religious; to uphold the institutions of the country because they are the embodiment of the wants and wishes of the nation, and protect us alike from individual tyranny and popular outrage; equally to resist democracy and oligarchy; and favour that principle of free aristocracy which is the only basis and security for constitutional government; to be vigilant to guard and prompt to vindicate the honour of the country, but to hold aloof from that turbulent diplomacy which only distracts the mind of a people from internal improvement; to lighten taxation; frugally but wisely to administer the public treasure; to favour popular education, because it is the best guarantee for public order; to defend local government; and to be as jealous of the rights of the working man as of the prerogatives of the Crown and the privileges of the Senate—these were once the principles which regulated Tory statesmen, and I for one have no wish that the Tory party should ever be in power unless they practise them.

Mr. LINDSAY said, that he desired, as no one seemed disposed to rise, to say a few words. The noble Lord seemed to rejoice that he was supported by Members on both sides of the House; but he (Mr. Lindsay) did not remember that any Members from the opposite side were present at the meeting in Willis's Rooms, or were parties to the great compact there formed. He believed he was the only Liberal Member present that had doubts, and those doubts he expressed to the noble Lord. He said, if they destroyed the then Government, he questioned very much that the noble Lord's Government would pursue a more liberal policy than that to which Lord Derby's Government was pledged in respect to a Reform Bill. The noble Lord replied that he had very little fear for the Liberal party; and he (Mr. Lindsay) told him that the Liberal party, in regard to great questions of progress, so far as the noble Lord was concerned, had very little faith in themselves. And it had been so proved. If the late Government had remained in office, the great question of Reform would have been settled for the present generation, and the pledge on the question given by the present Government would not have been made to be broken. He believed, that if the noble Earl in another place had had his own way, he would have redeemed the pledges given by him at that meeting. He remembered that pledges were also given at that meeting in regard to economy and retrenchment; but how far had those pledges been kept? The expenditure, as shown that night, had gone on increasing year by year since the noble Lord had been in office; and if the noble Lord remained in office longer, it would go on increasing. If they got value for their money, they might complain less; but protests had been continually made, and made in vain, against the mode in which the money was expended. Seven years had elapsed since he first objected to the expenditure of large sums of money in the construction of wooden ships; but somewhere about eight millions had been since spent on wooden ships. The noble Lord at the head of the Government continued the construction of that description of vessel, because he said that our neighbour and ally at the other side of the Channel possessed a larger fleet of wooden vessels than this country possessed. The noble Lord, he might add, in referring to iron ships that evening, seemed to forget that the number of those vessels was no measure of their power. Yet, he presumed, if the noble Lord remained in office, they would be asked to vote money for more iron ships, on the alleged, but incorrect ground, that France had more than we had. It was rather inconsistent that the noble Lord should claim credit for armaments directed against France, when one of the objects for which he came into office was, to cultivate friendly relations with that Power. They should be told the specific grounds on which these great military preparations were deemed necessary. The noble Lord said the country supported him in his vast expenditure; but when the First Minister of the Crown declared that there was danger ahead, the country could scarcely help taking his word for it, and granting supplies. It was very singular that the noble Lord, who was so fond of intervention in cases where we were involved in nothing but difficulty and expense, should adopt a contrary policy in such a case as the present American civil war, where mediation would be hailed by the South, and gladly welcomed by a great proportion of the people of the North, and would relieve our own country from much of the difficulty and suffering which was now becoming so pressing.

MR. NEWDEGATE said, he much regretted that the forms of the House would not allow any reply on the part of the right hon. Gentleman the Secretary at War to the remarks of the right hon. Gentleman the Member for Buckinghamshire; but as the question raised by the hon. Member for Rochdale was still before the House, he could not help expressing his surprise, after the support which the hon. Gentleman had received on the question of the rating in aid from that (the Opposition) side of the House, he should rise and read them a lecture on the relations of party. No Member of the House had been a sterner partisan than himself. Few had made greater exertions to reconstruct the Conservative party; but he valued party only as the exponent of principle. Unfortunately, of late the relations between principle and party were disturbed as much on the Conservative as on the Liberal side. He had joined in an attempt to re-organize on the ancient basis the Conservative party, after the disruption caused by the late Sir Robert Peel; and the result was, that the two parties which sat above the gangways on opposite sides of that House had been formed, but they found themselves and the House ruled by the party which had been formed below the gangway on the Government side of the House by the right hon. Member for Rochdale and others, which swayed the balance between the two official parties, and had decided the legislation of the country. He (Mr. Newdegate) and others had got tired of this state of affairs. The hon. Member for Rochdale must forgive those who during the Session had constituted the majority, if they had learnt something from his teaching. Government for the future must depend not upon party, in the old sense of the term, but upon the general concurrence of opinion in the House of Commons and in the country. He had not seen that the noble Lord's Government had forfeited the confidence of the House, and, as a Conservative, was not ashamed to hail union with the Old Whig party in defence of the Constitution, and under existing circumstances in enabling Her Majesty's Government to conduct the business and defence of the country. He rejoiced in the concurrence of opinion in support of those great principles on which the constitution rested. It was idle to talk to him of the departure from party. Party had no value with him but as it expressed principles which would maintain intact the constitution of the country, and preserve her influence and authority at home and abroad. The great question before the House and the country was the distress in Lancashire. A great calamity had befallen the country, and the Government ought to be supported so long as they took measures to meet the emergency. He (Mr. Newdegate) would respectfully invite the attention of the Government to a suggestion, he thought, important. He understood that there was more cotton in India than even had been predicted by the hon. Member for London; but he also understood that the agencies for the collection and transport of cotton to the ports were not sufficient to meet the unprecedented and unexpected demand. He believed that the most effectual relief which could be given to Lancashire was that by which its industry could be in some measure maintained. If the supply of cotton, therefore, during the present year could be collected more efficiently than heretofore, and brought down to the ports of India by public companies, the formation of which he understood to be contemplated, he thought the countenance of the Government ought to be given them. He understood that companies would be formed if they could receive the co-operation of the Government. Measures of that kind would not only tend to increase the supply this year, but cause a greater breadth of cotton to be sown for the future. If the Government found the capital of such companies subscribed by responsible persons, they might guarantee a certain amount of interest for a limited period—say, for two years, provided always, that the funds were applied exclusively to the collection of cotton during the present season, and the increased cultivation of cotton for the future.

THE BOARD OF ADMIRALTY.

OBSERVATIONS.

Sir MORTON PETO, in calling attention to the administration of the Naval affairs of the country by the Board of Admiralty, desired to press upon the Government the duty of earnestly considering the question of a reconstitution of the Board during the recess. The defects of the constitution of the Board, and the various delays, inconveniences, and blunders which necessarily arose out of such constitution, made it stand condemned before the country. During the last thirty years we had had seventeen First Lords, so that the average term of office was under two years; and the changes among the junior Lords were still more frequent. Under such circumstances, it was impossible that they could acquire a sufficient knowledge of their duties; and if they did, they had no time to carry their views into practical effect. The facts with regard to the *Royal Sovereign* which the last few days had brought to light were extremely curious. An hon. Member was informed some time ago, that although the invention of Captain Cowper Coles would be adopted, he would not be consulted with regard to the vessel upon which the cupola was to be placed. Captain Coles was only to be responsible for the cupola. The Admiralty was to be responsible for the ship. The result was that a first-rate ship had been so altered as to be valueless, and the guns were so placed that an attacking vessel within a certain distance would be out of the line of fire. The iron ship which had been ordered of Mr. Samuda would be equally defective, and for those defects the Admiralty and not Mr. Samuda was to blame. With regard to promotions and appointments, there was a settled feeling throughout the navy that gross injustice was inflicted; and an eminent officer in the employ of the Board of Trade said in his evidence, that men without family or political influence could not, as a general rule, rise in the service. There was, in short, a deep-seated feeling of dissatisfaction in the navy as to the way in which promotion was administered. Again, enormous sums had been spent during the last few years in the dockyards without any adequate result. This contrasted strongly with the administration of the right hon. Member for Droitwich (Sir John Pakington), who had certainly given them value for the money he spent. For the £12,000,000 which the Government had expended in the dockyards little could be shown. It had pledged itself not to build any more wooden ships, and yet it was now organizing a large establishment for the construction of that very class of vessels. The result would inevitably be, that instead of having an effective iron fleet, we should find ourselves in the possession of a number of vessels which would require to be renewed every twelve or fourteen years. He also complained that the Admiralty had placed the construction of some of their ships in the hands of contractors who had no capital, whereas by employing men of skill and means they might lessen the number and expense of their enormous establishments. The noble Lord at the head of the Government professed to love his country, and desired to see her strong and respected. It was not by a vast expenditure ill-directed that he could attain his object, but by a careful, well-considered, and judicious economy. Early next Session the noble Lord should introduce a measure for the reconstruction of the Admiralty, upon a basis which commercial men could appreciate, and which would command the confidence of the country.

Lord CLARENCE PAGET said, he had listened attentively to the speech of the hon. Baronet, which was a repetition of that which was cut short the other night by a count-out; but he had not heard practical advice by which the Admiralty could profit. The hon. Baronet attributed the alleged inefficiency of the Board of Admiralty to the constant changes which were taking place among its members. The reply he had to make was, that the Admiralty did not want any more changes; they would be quite satisfied if things were allowed to remain as at present. So far he entirely agreed with him. Committees and Commissions had undertaken to point out how the Admiralty should be reformed; but, after all, when hon. Members came to apply themselves to the Reports of those inquiries, they found, that although there might be defects in it, as in all human institutions, it would be very difficult to find a substitute for it so far as the practical working of the government of the navy was concerned. It was said by some to be advisable to get rid of what was called a Board; but whether it was called a Board or a Council, the Admiralty had the great advantage of having a responsible Minister, assisted by professional advisers. That, upon the whole, he thought the most advantageous mode of governing the navy. He defied the hon. Gentleman —he defied any man to say that the Duke of Somerset had shown any unfairness or partiality in his administration; he was guided solely by merit in promotions and appointments in the service. Captain Sullivan himself, whose evidence the hon. Gentleman quoted on this point, was a proof how untrue were all such assertions of partiality and favouritism. With regard to ships, the hon. Gentleman had told the House that the *Warrior* and *Black Prince* were the only efficiently-built iron ships in the navy; but opinions differed on that subject. If he consulted practical men, he would find the opinion generally was that much smaller ships would be better. Ships of the *Defence* and *Resistance* class, with the conditions they were intended to fulfil, would be preferable. The hon. Gentleman said we had nothing to show for the money spent. Why, we had nineteen iron-plated ships— or would have very soon. Such assertions were not fair or just; they did great damage in the country, and ought not to be made by Gentlemen who had the means of knowing better. The hon. Gentleman said, "Reform the Admiralty." Why, the Admiralty was daily reforming. It had been said that before he was at the Admiralty he had attacked the Board; but he never attacked the Admiralty, except for want of accurate accounts as to the cost of ships, and he would in the course of a day or two place on the table a Return showing the exact cost of every article manufactured for the navy. He had already given a similar Return of the cost of ships, and these important Returns, made up by the Accountant General, would be delivered annually. It was next charged against the Admiralty that they had had differences with their contractors; but he maintained they were justified in keeping them to their contracts, and the system of contract was very advantageous to the service. These perpetual attacks on the Admiralty were most injudicious and unjust. The present Board had produced a reserve of 12,000 men; they now manned their ships in a week; they had grappled with the question of naval discipline, and introduced a system by which corporal punishment would be, he hoped, gradually got rid of by means of classification. These were reforms for which the present Board deserved credit. His hon. Friend had alluded to Captain Coles and his cupola. Captain Coles, a clever and ingenious officer, was, he was glad to say, in constant communication with the Admiralty; but it should be remembered that it was the Admiralty who were responsible for the construction of a ship, and not Captain Coles. He would not now pursue this subject any further, but should be perfectly ready at any time to answer his hon. Friend, if he would bring any one specific and distinct matter of complaint before the House. All these vague charges he could only meet with a positive denial.

SERVIA—THE SUEZ CANAL.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether a Conference is about to take place at Constantinople regarding the late events in Servia; and whether any mitigation has been obtained by Her Majesty's Government in the employment of forced labour on the Suez Canal? The slavery of America, he contended, was not so bad as that of the forced labour that was now being employed on this canal.

Mr. SEELEY, reverting to the topic introduced by the hon. Member for Finsbury (Sir M. Peto), complained of the want of courtesy shown in the answer of the noble Lord the Secretary of the Admiralty. He thought the Government were too prone to charge hon. Members who brought forward Motions with knowing nothing about the matters on which they spoke. He contended that his hon. Friend (Sir M. Peto), who was one of the largest employers of labour in this country, was peculiarly well qualified to give advice on this question, whether ships could be built more cheaply by the contract system than by the Admiralty system. He was not aware of any single measure of reform obtained by the House during the present Session; but if, in the opinion of hon. Members, the expenditure of the country was enormous, they had a right to express that opinion. Sixty or seventy Gentlemen on the benches near him were returned by 400,000 voters, and represented 8,000,000 or 9,000,000 of people; and, with all deference to the noble Lord and his colleagues, their opinions should not be sneered at, and they would not be put down by the statement that they knew nothing on the subject. They should look to the defences of the country in two points of view—what was necessary for aggressive warfare, and what was necessary for defence. It might be very well to be always armed and ready to inflict a blow on an enemy, if it cost nothing; but it cost a great deal of money. There was no one on the benches near him that would refuse any sum for the defence of the country. They would be fools if they did. They had property in trade and commerce, and in everything that would be most injured by anything in the shape of an attack. ["Hear, hear!"] The landowners might laugh, but their property would not be so much injured by an invasion as the property of persons engaged in commerce. No Member of the House — no man throughout the country—had acted as if he thought there was a probability of an invasion. Would they go on extending their concerns if they feared an invasion? What would become of all their property if an invasion took place?

Mr. LAYARD did not know that he could give the hon. Member for Devizes (Mr. Darby Griffith) any further information beyond that he had given on a former occasion. He then stated, indeed, that 25,000 men were employed in forced labour, for which it was alleged they were paid; but he believed that statement was below the mark, and that from 70,000 to 80,000 men were taken from their ordinary labours in their own villages, to aid in the construction of the Suez Canal. Such a course of proceeding must be productive of great misery, and must seriously interfere with the production of the most advantageous occupation for labour—for instance, the production of cotton. There was, however, no mode by which this Government could intervene, as in all treaties with the Turkish Government the latter reserved power to employ labour of that description. He could only hope that the Pasha would perceive the infinite mischief which such a course of proceeding would entail upon his country, and would put an end to a system that entailed so much suffering and hardship.

Motion *agreed to.*

House at rising to adjourn till *Monday* next.

NIGHT POACHING PREVENTION BILL.

[BILL NO. 241.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Sir JOSEPH PAXTON presented a Petition, signed in a few hours by 3,000 persons in Coventry against night poaching, but praying that this unconstitutional measure might not be passed through the House at such a late period of the Session. The Petitioners desired the Petition to be read by the Clerk at the Table, but he would not press a Motion to that effect at such a late period of the evening (twelve o'clock).

Mr. BUTT moved that the Bill be re-committed. He had a very strong feeling that the present Bill ought not to be passed into law. He voted for the second reading of the Bill; but he did so in the belief and in the hope, although he did not approve of all its provisions, that in Committee it would be altered so as not to violate every principle of law and every idea of common sense. For the credit of Parliament and of legislation, he objected that such a Bill should be sent out of that House, for it would bring them into deserved disrepute throughout the country. The Bill as it came down from the Lords was simply a measure to prevent a practice which was a serious offence against the law, and which often led to serious frays and to loss of life. He had understood that that was its sole object, and that it was not introduced to increase the strictness of game preservation. As it came down from the House of Lords it was in good Saxon English, and required no interpretation; but the first thing that this House did was to insert an interpretation clause, which rendered the whole Bill a mass of inextricable confusion. In the first place, the word "game" was defined to include "rabbits" and "eggs." Since the days of Shakespeare he should have thought there had been no need to explain even to a poacher what was meant by "a justice of the peace," or "a justice of the quorum." Yet the drawer of the Bill, or at least of the Amendments introduced into it, could not properly describe a justice of the peace. Positively, according to this Bill, unless game was found, there could be no justice of the peace in a county or division. If they passed this Bill, they gave a policeman power to stop a man and search him, and then let him go again; this was establishing a most dangerous precedent. Then the Bill came down to the House as a Bill to prevent night poaching, and they had made it a Bill also to prevent day poaching. Nothing could be more loose than the way in which this Bill was drawn. By this Bill every police officer in the kingdom had power given to him to arrest any person—for he could not search him without arresting him. At present no search could be made without a search warrant. By the help of the interpretation clause the police were authorized to stop and search any female. He wanted to know whether it would be necessary that every constable should be accompanied by a female searcher—because the only restriction was that the search should take place in some public place. Why this exemption in favour of game? Then he objected to the police being employed to preserve game. It was calculated to make them unpopular. He admitted that there was an anomaly in the game laws. Poaching was treated as an offence, but the fruits of poaching might be carried off with impunity. But there was another alternative, and that was to make the game laws less stringent. He hoped the House would be spared the indignity of passing this unworthy piece of legislation.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged, for the purpose of re-committing the said Bill,"

—instead thereof.

Mr. BASS agreed that great changes had been made in the Bill since it came down from the other House, but he contended that all these changes diminished its original stringency. He regretted that some difference of opinion prevailed on the subject of the measure between himself and his constituents; but he must be allowed to say, that while hon. Members ought to pay much deference to the opinions of their constituents, something also was due to their own independent judgments. He had that evening received a report from Colonel Hogg, the Chief Constable for Staffordshire, who called the attention of the magistrates to the fact that night poaching was much on the increase; and that large organized gangs, armed with deadly weapons, and accompanied by ferocious dogs, might be seen almost nightly going and returning from their operations. The Chief Constable also stated, that during the last two years and a half the police, when on their ordinary rounds, had stopped and searched great numbers of poachers on the highway, and found in their possession great quantities of game netting, iron and wooden spikes, guns, bludgeons, life-preservers, and skeleton keys, and with two exceptions no resistance had been offered to the police. There were in the district 1,637 night poachers, whose names and places of abode were known. Of these 1,133 had been convicted of burglary, highway robbery, poaching, or some other offence, and many of them were returned convicts. Surely that state of things called for some remedy. It was said that a want of deliberation had been exhibited in this matter; but that assertion did not seem well founded, for the Bill was referred to the consideration of a Select Committee in the other House, and it certainly could not be said that the measure had not been sufficiently discussed in the House of Commons; and he now understood that its opponents threatened to prolong the present discussion till twelve o'clock on Saturday night.

Mr. WHALLEY said, that though he voted for the second reading, in the hope that the measure might be rendered efficient, he could not vote for the third reading, because he believed that the Bill as it stood, instead of putting down night poaching, would augment that crime by increasing public sympathy in favour of poachers; but if the Legislature declared the stealing of game theft, to be dealt with by the ordinary rules of law, it would then have the support of public feeling.

Mr. COX avowed that his intention in moving that the House should be counted early in the evening was to defeat the Bill, and he greatly regretted that there were forty Members present. The Bill was utterly unintelligible.

Mr. O'BRIEN said, no case had been made out for this Bill in Ireland, and he should oppose it, believing that the Bill would be a disgrace to the legislation of the country.

Mr. Bass

Sir BALDWIN LEIGHTON said, he should have no objection to a recommittal of the Bill if there were time; but if he were to consent to the Amendment it would be tantamount to giving up the Bill. He was much obliged to the right hon. Baronet opposite (Sir G. Grey) for the assistance he had given him. If other Members had followed the right hon. Gentleman's example, he had no doubt but it would have been a much better Bill. If it had not been for the violent opposition which the measure had received, it would have been a much more satisfactory one. He denied that the police would be much employed under the Bill; and he could not but think that the objections which had been made on that score were owing to the ignorance of hon. Members as to the practical working of the constabulary force. The action of the Bill was made to extend to Ireland, because he objected to exceptional legislation. As to the powers of search, they were not more extensive than were already given in the case of stolen property.

The ATTORNEY GENERAL said, he thought the Bill exceedingly objectionable in principle — but he would not at that stage go back to that question. He did think, however, that they should strive to put the language of the measure into a more creditable shape. The first clause was singularly objectionable, inasmuch as it extended the definition of game; and it really required a great deal of study to know what the second clause meant. In consequence of the number of Amendments it had received, the whole clause had become a mere hotch-potch. To give an example of the carelessness with which it was drawn, the phrase "every county, division, or borough in Great Britain *and* Ireland" really meant some impossible place which was at once in both countries. ["Oh, oh!"] But to come to the substance of the clause. It contemplated two persons—the poacher and some one else who might be aiding and abetting him. Now, all that could be done to the principal offender was to arrest him and search him on the highway. The aider and abettor could also be searched, but only if he had game in his possession. In that case, any cart there might be with him might also be searched. ["Oh, oh!"] Some Gentlemen who were impatient might hereafter be called upon to construe the Bill—a task which he did not envy them. The clause proceeded on the supposition that the accessory was the party who had taken the game—in fact, the accessory who might be proceeded against to conviction was a different accessory from the one that might be stopped and searched in the first instance. Anything more absurd he could not conceive; and no clause involving such contradictions could possibly have been drawn by any person who was competent to the task. He should certainly support the proposal for re-committing the Bill, whatever the consequences of that step might be.

Colonel DICKSON said, he was averse to giving more power to the police, but he did not think that the Bill would have that effect. The hon. and learned Member for Youghal (Mr. Butt) had used the undoubtedly great talents which he had to pervert the meaning of the measure; and he could not help remarking on the conduct of the Attorney General, who had not till that moment taken any part in the discussions on the Bill. It was the hon. and learned Gentleman's duty to have been in his place to take care of the liberty of the subject.

The CHANCELLOR of the EXCHEQUER said, the Attorney General had voted against the second reading of the Bill, and had now interposed at the earliest opportunity after the Bill had been brought into its present shape. The fact was, it had pleased the hon. Baronet (Sir B. Leighton) to introduce on the Report Amendments which had converted the Bill from sense into nonsense; and his learned Friend, who was the special guardian of the criminal law of the country, had taken the first opportunity to fulfil the duties of his office. He (the Chancellor of the Exchequer) protested against the idea that the faults of the Bill were chargeable upon its opponents. He protested against the House passing a measure in language which no village schoolboy would be allowed to use without correction. He regretted that hon. Gentlemen did not see the discredit which would be brought upon the Legislature if they dealt with criminal law in this lax fashion. He advised that the Bill should be re-committed in order to amend the phraseology, even if they immediately afterwards proceeded to consider the question of the third reading.

Mr. SEYMOUR FITZGERALD contended, that it was the duty of the Government, and especially of the Law Officers of the Crown, to have been present to see that the Bill was expressed in clear and correct language. The Chancellor of the Exchequer had not been present during the important debate which had taken place in the early part of the evening, and in which the policy, including the financial policy of the Government, had been seriously impugned; and now he came there at between one and two in the morning to obstruct this Bill. Any amendments that the Bill really required might be made in another place; but he did not think the Bill was open to the objections which had been made against it.

Mr. W. E. FORSTER thought it was a very strange doctrine that the Attorney General was not to give his opinion of the Bill now because he had not done so before. The Bill, if passed in its present shape, would make the House a laughing-stock. If it were re-committed, every attempt would be made to delay it, unless a clear understanding were come to that it should be limited for one year.

Mr. NEWDEGATE said, the whole difficulty had arisen from the way in which the promoters of the measure had been met on the other side.

Mr. CLAY said, he thought it would be better if hon. Gentlemen opposite withdrew the Bill, and next Session proposed the abolition of the Game Laws, accompanying it with an Act declaring game to be property.

Sir BALDWIN LEIGHTON was ready to accept a proposal to limit the operation of the Bill to one year, and to make the amendments pointed out by the Attorney General.

Mr. LYGON suggested that the arrangement would be unobjectionable if the Bill were allowed to pass to-night.

Mr. SCLATER-BOOTH approved of limiting the Bill to one year, as it would secure inquiry into the Game Laws next Session.

Mr. CRAUFURD recommended the supporters of the Bill to accept the compromise. It would be a drawn battle, in which neither side would have any advantage.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 90; Noes 61: Majority 29.

Original Question again proposed, "That the Bill be now read the third time."

Mr. W. E. FORSTER moved the adjournment of the House.

Sir GEORGE GREY regretted that the Bill had not been re-committed, but he was not disposed to sit up any longer for the purpose of attempting to oppose the further progress of the Bill.

Motion made, and Question put, "That this House do now adjourn."

The House *divided*:—Ayes 35; Noes 88: Majority 53.

Original Question again proposed, "That the Bill be now read the third time."

Sir JOSEPH PAXTON moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 30; Noes 89: Majority 59.

Original Question again proposed, "That the Bill be now read the third time."

Mr. TAYLOR moved that the House do now adjourn.

Motion made, and Question put, "That this House do now adjourn."

The House *divided*:—Ayes 26; Noes 86: Majority 60.

Original Question again proposed, "That the Bill be now read the third time."

Debate arising; Motion made, and Question proposed, "That the Debate be now adjourned."

Motion, by leave, *withdrawn*.

Original Question put, "That the Bill be now read the third time."

The House *divided*:—Ayes 84; Noes 29: Majority 55.

Bill *passed*, with Amendments.

House adjourned at a quarter after Four o'clock in the morning, till Monday next.

HOUSE OF LORDS,

Saturday, August 2, 1862.

Minutes.]—Public Bills.—2ª Union Relief Aid. 3ª Consolidated Fund (Appropriation); Court of Common Pleas (Officer for Acknowledgment of Deeds); Bankruptcy Act (1861) Amendment; Burial Boards (Mortgage of Rates).

UNION RELIEF AID BILL—[Bill No. 248.]

SECOND READING.

Earl RUSSELL said, as it was understood that the discussion on this measure would be taken on Monday next, it would not be necessary for him to trouble their Lordships with any observations in moving the second reading. On Monday it was intended to move the suspension of the Standing Orders, with a view to passing the measure through its remaining stages. If, however, any objection was urged against that course, it would not be persevered in.

Earl FORTESCUE said, he regretted much that unavoidable absence from town next Monday obliged him to take this, his only opportunity, of saying a few—and they should be very few—words in relation to this measure. He would not enter upon the general question, though there was much ground for comment in the truly admirable conduct of the operatives during the present distress; and still more in the strange doctrines now broached by some of the master manufacturers and their representatives — doctrines wonderfully at variance with those which he remembered to have been enunciated by them during the discussion on the Ten Hours Bill; when they stoutly maintained the expediency, if not the duty, of working tender women and children under age, for at least twelve hours a day; though it was found that this excessive toil seriously injured the health, and increased the mortality of both, while it prevented due attention being given to domestic duties by the women, and to education by the children. His main object in rising, however, was to complain of a series of speeches a few weeks ago imputed to a Poor Law Inspector specially sent down to the cotton manufacturing districts, apparently to supersede that far sounder and abler public officer, Mr. Mainwaring. He expressed a hope that they had not been correctly reported, because they appeared to tend to break down the distinction between legal relief and voluntary charity; between a compulsory tax and the free-will offerings of Christian benevolence; to acquiesce in the notion of outdoor relief in aid of wages, and to deprecate, if not denounce, the application of the labour test: —and this while the rates were far from having risen to the height they had done there in former periods of distress, and the sickness and the mortality—as he (Earl Fortescue) had ascertained yesterday at the Registrar General's Office—were in no case appreciably above, and in the average markedly below, what they had been in the same districts this time last year, while the mills were in full work. Such doctrines, emanating from an official quarter, would tend to render the Poor Law Board and its officers a source of weakness and embarrassment, instead of a stay and support to the local authorities in the delicate and difficult duty of administering relief in a time of distress. He repeated his hope that the speeches in question had not been correctly reported. He was sure that such a tone would not have been approved by either of the Presidents of the Poor Law Board, under whom he had had the honour to serve; and was calculated to raise great doubts as to the propriety of paying more than £60,000 a year for the maintenance of a board, in order that it might send down from the metropolis an inspector to speak what, to use an American phrase, was something very like bunkum.

LORD REDESDALE said, he apprehended there would be no objection to the course proposed by the noble Earl. At the same time, it appeared to him inconvenient to have a Bill of such importance presented to them at such a period of the Session, and under such circumstances. Whatever objections their Lordships might entertain to its details, being a money Bill, they would be unable to alter it in any way.

Bill read 2^a, and *committed* to a Committee of the Whole House on *Monday* next; and Standing Orders Nos. 37 and 38 to be considered, in order to their being dispensed with.

NIGHT POACHING PREVENTION BILL.

[BILL No. 241.]

Returned from the Commons, *agreed to*, with Amendments; the Bill, as amended, to be *printed*, and to be considered on *Monday* next. [No. 246.]

House adjourned at Two o'clock, to Monday next, Twelve o'clock.

HOUSE OF LORDS,

Monday, August 4, 1862.

MINUTES.]—PUBLIC BILLS.—3^a Union Relief Aid; Corrupt Practices Prevention Act Continuance.

RELIGIOUS PERSECUTION IN TURKEY.

QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE said, he had a question to ask of the noble Earl at the head of the Foreign Department relating to a case of religious persecution in the East. He could not, he thought, better do justice to the importance of the subject than by reading an extract from the last report of the Turkish Missionary Aid Society, well known for its benevolent exertions in Turkey and elsewhere. The extract to which he alluded was as follows:—

> "In Angora there have been two cases. A Papal Armenian was beaten cruelly by his family friends, and, under false charges, thrown into prison. The second case is that of a Moslem who for eight months has been openly professing his faith in Christ, closing his shop on the Sabbath, attending to all the means of grace, and showing himself a sincere follower of Christ. At the commencement of the present month he was cruelly beaten, loaded with chains, and thrown into prison. The case has been brought to the attention of the British Ambassador. This being the first case of persecution of a Moslem on account of changing his religious profession in the reign of the new Sultan, the action of the Government respecting it will be watched with interest."

His noble Friend would remark that the particular interest attached to the case thus reported arose from its being the first instance of persecution in the person of a Mahomedan convert since the accession of the present Sultan to the throne of Turkey; and it was natural for those who remembered what had been effected under the influence of the British Government and their allies, during the reign of the late Sultan Abdul Medjid, in favour of religious liberty, to watch with anxiety over the manner in which the present case would be treated by the authorities at Constantinople. No one, he was sure, could feel more deeply than the noble Earl any departure from the protection which had been so liberally granted by the Ottoman Porte to all its subjects in the conscientious profession of their religious faith. He only requested to know, Whether the case in question had been mentioned to Her Majesty's Ambassador at Constantinople, and whether any suitable redress had been afforded or promised by the Porte?

EARL RUSSELL replied that the attention of the Turkish Government had been called to the subject by Her Majesty's Ambassador at Constantinople, and that they at once admitted their readiness to adhere to the Declaration made by the late Sultan. He might add that they had given the most satisfactory assurances with respect to redress in such cases.

UNION RELIEF AID BILL—[Bill No. 248.]

COMMITTEE. THIRD READING.

Order of the Day for the House to be put into Committee upon the Union Relief Aid Bill, and for Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with, read.

Earl RUSSELL (who was very imperfectly heard) *moved*, that the House resolve into Committee on this Bill. The noble Earl, in the first place, referred to the statistics of the condition of the distressed districts in respect of the increase of pauperism, and to the reports of the Government officers who had been sent down with the view of inspecting the actual state of those districts, in order to show the immediate necessity of some measure to enable them to meet the emergency. The noble Earl then stated the provisions of the measure introduced by the Government for effecting that object. The Bill, he said, contained two powers—the one, on the principle of the statute of the 43rd Elizabeth, extended the area of contributions for the relief of the poor, by enabling the guardians of any union within the distressed districts, where the expenditure of any parish of the union for the relief of the poor for the quarter ending at Michaelmas or Christmas next shall be found to have exceeded the rate of 3*s.* in the pound per annum on the rateable value of the property within such parish, to charge the excess on the other parishes of the union proportionately; and if the whole of the parishes of the union should unhappily be reduced to the same condition, then to charge the excess to the common fund of the union. In like manner, the fourth clause provided that wherever the aggregate expenditure of any union should at Michaelmas or Christmas be found to have exceeded the rate of 5*s.* in the pound per annum on the rateable property within the union, the guardians of the distressed union may apply to the Poor Law Board, who may thereon make a general order upon the other unions within the county to pay out of the common fund of each a proportionate sum to meet the excess in the distressed union. At the request of Members who represented the distressed districts, an alternative power had been introduced into the Bill, by which any union was authorized, if its expenditure at Michaelmas or Christmas should be found to exceed the rate of 3*s.* in the pound per annum, with the sanction of the Poor Law Board, to borrow a sum of money to be applied to the relief of the poor, sufficient to meet such excess. The money so borrowed was to be charged upon the common fund of the union, and was to be repaid, with the interest, in seven annual instalments, at the longest. The measure was intended to meet a case of extraordinary and exceptional distress, and one which, it was to be trusted, would be only of temporary duration; and the Bill, therefore, was confined to the suffering districts — namely, to the parishes and unions within the counties of Lancaster, Chester, and Derby, and its duration in point of time was limited to the 1st of March next.

Moved, That the House do now resolve itself into a Committee.

The Earl of MALMESBURY said, this, he need scarcely remark, was no party question; it was entirely a national matter, and must be treated as such. It appeared, indeed, that the House of Commons had taken that view of the matter; for in the divisions which had taken place on this measure, and particularly in that in which Her Majesty's Ministers were defeated, there were to be found Gentlemen of very different political opinions voting together on various views. The noble Earl who had just sat down, had, he (the Earl of Malmesbury) thought, fallen very short in his efforts to show their Lordships that there was any great necessity for this measure. He was glad the noble Earl had failed in so doing, because, at all events, it conveyed a satisfactory feeling that the distress was by no means so awful in its character as was described in the public prints, and as it was apprehended to be by the public generally. But the noble Earl had omitted to explain one thing. Be the distress great or small, it was notorious that it had been anticipated as a certain evil for more than a year. Indeed, from the first moment of the breaking out of the American war, the cotton trade became more or less affected, and everybody knew that that distress amongst the manufacturing districts which had now taken place must necessarily occur. Nevertheless, Her Majesty's Government had allowed nearly the whole of this long, and he must say, idle Session to pass by without bringing forward a measure of this kind—they waited until the last week of the Session to make these propositions. He thought that the noble Earl should have told the House the reason of this delay—why a measure of this gravity and magnitude should have been delayed until the eleventh hour of the Session of Parliament. Had the Government expected to see the affairs of America settled before this? or did they hope to see such supplies of cotton from other portions of the globe as would have compensated the manufacturing interest for the loss of the American produce? And what was the result of this delay? It had been rendered impossible for the persons best acquainted with the distressed districts to give the Government their advice. He felt convinced, that if the measure had been introduced by the Government in the early part of the Session, it would have passed the other House without the diversity of opinion that had existed, and that the Government would have been able to carry through the Bill without that extraordinary provision which made it so objectionable. As the Bill now stood, he thought it would form one of the worst precedents he ever remembered seeing passed by Parliament. From the importance of the subject, and the anxiety which it occasioned, one might certainly expect that the noble Earl would have favoured them with some figures as to what the rates at present actually were, and what it might be reasonably anticipated they would reach in the distressed parishes. Persons unacquainted with the suffering districts might imagine that Government, by such a measure as the present, were providing for a case in which the rates approximated to something like 10*s.* in the pound. Such a state of things might have been offered by them for having violated to such an extent the principle of the law of Elizabeth, and every principle of experience and political economy. But the noble Earl said nothing of the kind. The arguments used by the noble Earl in support of this Bill appeared to him (the Earl of Malmesbury) to go the other way. The noble Earl stated that the rates in these manufacturing districts had been only 7*d.* in the pound for many years. Now, although the existing distress in those districts was, no doubt, very great, he (the Earl of Malmesbury) held, that such a reduced rate was evidence of former prosperity, and therefore afforded a good reason why the Government should have said that the present distress might be relieved out of the former abundance, and without calling on the Legislature for extraordinary measures—especially for suc as were of dangerous precedent. The was, as it seemed to him, no justification for such powers as this Bill would give. The noble Earl mentioned 2*s.* in the pound as the *maximum* probable amount of rate to be apprehended, and as representing the existing distress. On seeing the nature of the measure proposed by Her Majesty's Government, he wrote down to his own parish—a very large one in Hampshire and in Wiltshire—asking what had been the highest rate known within the last ten years; and he was told that the rate had been 4*s.*, and that it was at present 2*s.* 6*d.* In that parish they had been living with a rate of at least 2*s.* 6*d.* in the pound ever since he was born; and yet he had flattered himself that he was living in one of the best cultivated and most prosperous parts of rural England. It was perfectly monstrous, then, that those districts which had been proverbially so prosperous as to be held up to the whole world as hives of wealth, should at the very first reverse of fortune come and ask Parliament to reverse the laws and principles which had been respected for 260 years—since the time of Elizabeth — for the sake of relieving them from the cruelty of having to pay 2*s.* in the pound only. This Bill came before them in a very peculiar form, and had been supported in a very peculiar way. He had read the arguments in another place, and he found that the class of politicians by whom this system of borrowing was recommended was the very class that had been opposed to all loans for the purpose of the defence of the country. Now, the question of borrowing money was one that affected posterity, and the borrowing of money by a parish for the erection of a new chapel or such a work was therefore justifiable, because the benefit was for posperity as well as for themselves. But this distress in Lancashire was only a temporary pressure—the misfortune of a day, affecting only the present generation—and to borrow money upon the rates of a parish and charge posterity with the relief of that distress was a principle so utterly at variance with anything they had heard before that he believed the proposition never would have been entertained if the House of Commons had had sufficient time for its consideration. It was now proposed that parishes within the cotton districts should have the power of borrowing when their rates amounted to 3*s.* in the pound. It would be seen from the returns of poundage in the different parishes that there were several parishes in England where the rates were now as high as 10*s.* in the pound for the relief of the poor; and there were one or two parishes who paid as high as 13*s.* in the pound. The average poor rate throughout England was 2*s.* in the pound; and this was taken as the *maximum* which the rich parishes of Lancashire and Cheshire could bear. If the principle of this Bill were a good one, nearly the whole of the parishes in England would be justified in asking for similar relief as that now proposed to be given to the distressed districts. The parishes of the manufacturing districts were to be permitted to borrow when their rates reached 3*s.* in the pound, and to cry out for the help of other parishes when they amounted to 5*s.* The 3*s.* rate was therefore a premium upon borrowing; and when the rate was near 3*s.* care would be taken that it should reach that figure, in order that the parish might become entitled to borrow. He regarded this as one of the unwisest measures that he had ever seen. In speaking upon this subject he could not but recollect the courage and dignity with which the poor operatives of the manufacturing districts had borne an infliction which had come upon them from no fault of their own. But while the operatives had shown so much courage and dignity under the pressure of severe misfortune, he considered that it was the duty of the ratepayers of those rich and great counties to exhibit something like the same spirit. Was it worthy of these ratepayers to come to Parliament to ask for assistance which ought to be extended to the whole population if justice were done to all Her Majesty's subjects? The noble Earl had stated that the principles of the law of Elizabeth justified and gave powers for rates in aid. That was no doubt quite true; and it was also true, as the noble Earl had said, that the machinery of that Act was not consistent with the habits and customs now ruling in England; but he (the Earl of Malmesbury) could not help calling attention to a point upon which he anticipated that many of their Lordships would differ with him. He thought it would have been better in this case if the law of Elizabeth had been strictly adhered to in the intention and in the letter. There was only one class of property which was at present assessable to the poor rates—namely, real property. But the wise councillors of Elizabeth had it in contemplation, when this Act passed, that all property should be assessable; and so convinced had Parliament been that that was the case, that they dared not repeal the liability. Session after Session a special Act was introduced exempting personal property from being taxed for the relief of the poor. He supposed that that Bill had already passed their Lordships' House this Session, and it was a curious circumstance that at the very moment that the richest districts in England, and those possessing the largest amount of personal property were coming to Parliament and asking for relief, Parliament should be passing an Act which exempted that very personal property from being assessed to the contribution for the relief of the poor to which it was liable under the Act of Elizabeth, and which would be sufficient to meet the distress. In the Committee which sat in 1850 he stated his views on the subject, and although those views were not adopted, the Committee did him the honour of reporting them to the House. Those views were that all property should be assessed in accordance with the Act of Elizabeth. If such a system were established, then the rates throughout England would not have amounted to more than 5½*d.* in the pound on an average in the year 1850. It was pointed out at that time that real property enjoyed exemptions from burdens to which personal property was subject. The succession duty on real estate had, however, since been imposed, and there was no longer the same force in this objection. He did not wish, however, to offer any opposition to the present measure. He need scarcely remind their Lordships that they could not attempt to alter the Bill without interfering with the privileges of the House of Commons. He felt, nevertheless, that it was their duty to protest against it as one of the unwisest measures that probably had ever been brought forward. Even according to the noble Earl's arguments the worst that could happen by following the principle of the law of Elizabeth would be that parishes in some of the richest counties of England would be obliged to pay until March the enormous sum of 3*s.* in the pound for the relief and maintenance of the poor.

The Duke of NEWCASTLE said, he entirely concurred with the noble Earl who had just sat down, that this was a measure which ought not to be drawn into a precedent, and the Government brought the Bill forward expressly as an exceptional measure, to meet an exceptional and altogether extraordinary necessity. But he could not agree with the noble Earl that it was one of the most unwise measures that had ever been brought before Parliament. The noble Earl had brought two charges against the Government with reference to this Bill which, as it appeared to him, were so singularly inconsistent, that one or the other must fail. The noble Earl said, that after listening to the speech of his noble Friend who moved the Committee, he had been able to discover no case whatever in favour of the Bill; and at the same time he charged the Government with acting improperly in not bringing it forward at the earliest period of the Session, when it might have been fully discussed. With regard to the first of these objections it was true, as his noble Friend had pointed out, that the poor rates had not risen in most of these towns to a very exorbitant extent, and that they were not at the present moment so high as in many of the rural districts of the country. But his noble Friend had never based the necessity for this Bill upon the amount of the rates. Why were the rates not higher than they were at the present moment? It was not on account of the absence of distress. The noble Earl had complimented the working classes of Lancashire and Cheshire on their patience and courage, but had omitted to pay one compliment to them which they equally deserved, and which would have explained why the rates were not higher. There was a noble spirit of independence that prevented the operatives from coming upon the rates as long as they could possibly avoid it. Up to this moment those people had been living upon the savings of former years; they had been drawing out the last sixpence from the savings bank; they had been selling their furniture — they had been reducing themselves, in fact, to the lowest condition, that they might avoid receiving parochial relief; and, no doubt, in many instances they had been receiving support from the charity of neighbours. That was, and not the absence of distress, the reason why the poor rates were low. But this Bill was not intended to meet the condition of things on the present fourth day of August, but the distress which would become worse at a more and more rapid rate of progression if the same causes continued in operation. The worst state of things existed in the Union of Preston, where the poor rate expenditure was at present 700 per cent more than that of last year. Such a rate of increase was a sufficient answer to the charge that the Government had brought in a Bill that was not required. But then it was said the Government were culpable for having introduced the Bill at so late a period of the Session. On the contrary, he believed, that if the Government had brought in the Bill earlier, they would have acted in violation of their duty; and that if there had been a prospect of the Session continuing for a month or six weeks longer, they would have been justified in still further delaying the introduction of the measure. They had this alternative before them—either to provide for the emergency now, or to call Parliament together in the autumn, when great distress might exist. He trusted that under any circumstances there would be no breach of the law, but it would not be wise to wait and call Parliament together in an autumn Session, for the express purpose of passing a Bill of this kind, the want of which might lead to great discontent. If the Government had brought in such a measure at the beginning of the Session, they would have stopped the springs of private charity —they would have offered a premium on the closing of the mills—and they would, in other respects, have done infinite mischief, and would have caused the manufacturing districts a great deal of misery. It would have been most impolitic for these reasons to have brought in this Bill earlier in the Session. It was now, however, necessary to make provision for the state of things with which the manufacturing districts were threatened. The noble Earl said this Bill was at variance with the principle of the laws for the relief of the poor, and at variance with the Act of Elizabeth. With regard to this one clause—the loan clause—which was introduced in opposition to the views of the Government, that was true; but it was not true as to the rest of the measure, which carried out the provisions of the old law. With regard to this loan clause, he hoped it would not be drawn into a precedent; but it was not so bad as the noble Earl would have their Lordships believe. It had been introduced to meet the exigencies of the moment, and for that purpose only; he did not know who proposed or who voted for it, but the noble Earl's statement was not correct when he said that those on one side of the House who were connected with the districts were universally opposed to it in the House of Commons. One excellent and worthy friend of his, at least, a gentleman connected with Lanlashire, and who knew the country as well as any man living, was a warm advocate of the clause. Therefore, whether it was right or whether it was wrong, it could not be thrown upon any one party, or any one class. But then the noble Earl said this was throwing on future generations the payment of what was required to meet the immediate wants of the present. That could scarcely be the case, for the Bill provided that repayment should be made by seven annual instalments, which might surely be taken as repayment by the present generation. He (the Duke of Newcastle) did not say whether in principle this was right or wrong; but if wrong, it was in practice about the smallest amount of wrong that could be imagined. But he was not about to defend the principle of the clause. It was a clause which had been introduced not by the Government or at their suggestion, but at the suggestion of those who were more and directly interested to meet a great exigency, and as such had been assented to. The noble Earl said that the measure was the most unwise one ever introduced; but he contended, that looking at the circumstances of Lancashire at the present moment, the want and suffering which existed, and which were increasing week by week, the Government would have been most culpable if they had allowed Parliament to separate without making provision for meeting them. The measure had been introduced with the concurrence of the Inspector who had been sent down specially to investigate the state of affairs, and in concurrence also with the views of the guardians; and he hoped their Lordships would agree with him that under the circumstances it was one that ought to pass.

Lord KINGSDOWN said, the objections to the Bill had been so powerfully stated by his noble Friend (the Earl of Malmesbury) that it was not his intention to enter into a general discussion on the measure; but having the honour to be connected with the county of Lancaster, and taking a deep interest in all which concerned that county, he could not forbear from stating the extreme pain with which he viewed the propositions now under consideration. He entirely concurred in what had fallen from his noble Friend with respect to the admirable conduct of the labouring classes in Lancashire. He also agreed with his noble Friend that for a series of years before 1861 there had been unexampled prosperity in the cotton districts. Mill after mill had been erected, and great populations had been brought together for the purpose of making those enormous fortunes which it was known had been made in those mills. Was it, then, he asked, worthy of those who had collected those populations—who had employed them and profited by their industry—that at the first moment when the least pressure came on them for the relief of their workpeople, they should stretch forth their hands for help, and endeavour to throw on their successors the burden which they themselves ought to bear? Was it reasonable that the millowners, who had made all the profit, should thus endeavour to throw the burden upon the owners and occupiers of other descriptions of property by resorting to a rate in aid? He repeated that he viewed this circumstance with very great pain. This was not a case in which very great pressure overrode all argument, because the consequence which appeared to be so much dreaded was that of the poor rate rising to 2*s.* or 3*s.* in the pound. He was ashamed when he heard such an appeal. What would be the outcry of the millowners of Lancashire if, because distress existed in the neighbouring agricultural districts, and the rates were high in consequence—say as high as twice 3*s.*—and a proposal was made to extend the burden by a rate in aid over the adjoining manufucturing districts? When the Corn Laws were about to be repealed, it was apprehended by many that there would be great distress in the agricultural districts. What answer was given to the representations on that subject? That agriculturists would find occupation in other ways; that they would gradually be absorbed in the manufacturing population, and that every man must bear his own burden. But in the case now under the consideration of their Lordships, because the rates were likely to rise in manufacturing districts Parliament was asked to make this extraordinary alteration in the law. As the measure was brought in originally, he was not prepared to say it might not have been wise to provide against danger; but he believed that at that time it contained no borrowing clause —no clause for enabling those who ought to bear the burden to throw it on those to whom it did not belong. Allusion had been made to Colonel Wilson Patten's supposed support of this clause; but he believed that though the hon. and gallant Gentleman was for a borrowing clause, he never intended that the power should commence until the rates reached 4*s*., which was higher than the amount fixed in the clause before their Lordships. It might be said that the principle was the same whatever the amount. That might be true; but, in a case like this, amount was everything. It was said that the Bill would not be made a precedent. That was frequently alleged in the case of a bad measure, but experience showed their Lordships that bad measures did become precedents, and he defied their Lordships to refuse hereafter to pass a similar Bill under similar circumstances. As to the provision for extending the operation of the Bill to adjoining parishes, seeing that the whole, or very nearly the whole, of South Lancashire, was involved in the difficulty arising from the scarcity of cotton, he was afraid that the extension to adjoining parishes would be of very little value. The effect of the Bill, he believed, would be in the first place to stop that private charity which was now flowing in for the relief of the distress; and in the next, to relax the vigilance of the Poor Law Guardians to keep down the rate. He could not imagine any sufficient ground for introducing the dangerous principle involved in the Bill, and could not but look upon its effect as a precedent as most fatal.

LORD EGERTON OF TATTON said, that he also was connected with the cotton manufacturing districts of Cheshire and Lancashire; but he had come to a very different conclusion from that to which his noble and learned Friend had arrived. He cordially agreed with the Amendment which had been introduced in the other House of Parliament, and believed the Bill had thereby been greatly improved. He believed that those of their Lordships who took a view adverse to the measure could have little idea of the state of the unfortunate manufacturing districts, where a vast population, willing to work and to perform its social duties, was prevented from doing so by the want of that article on which it depended for support. It was not merely the artisans who were reduced to a condition of distress by the failure of the cotton supply; small tradesmen, merchants' clerks, and small manufacturers were all equally involved. Remarks had been made bearing harshly on those manufacturers who had acquired large fortunes in the cotton districts, and who now shrank, it was said, from supporting their share of the losses entailed on the district. That might be true in some instances; but during the present year they had been incurring—and it was only just to them to add, voluntarily incurring—very great sacrifices in order to mitigate the sufferings of those who were dependent on them. He knew of many instances in which manufacturers had kept their mills open for several days in each week, at great cost to themselves, to support all their hands. One great manufacturer informed him the other day that he should sustain a loss of £20,000 a year. The knowledge that they had come forward in a laudable spirit to assist their workmen, wherever they could, had a great deal to do with the good feeling exhibited by the latter, and the patience and forbearance with which they had borne their sufferings. Private benevolence could do much to alleviate the existing misery, and he hoped those connected, territorially or otherwise, with the county would come forward cheerfully with their contributions. Calculations, however, based upon the present limit of rates in the manufacturing districts were very likely to prove fallacious. In other cases, the proportion of the population affected by a particular cause of distress was small as compared with the general body; but at Stockport he knew that at the present moment two-thirds of the ratepayers were not able to pay one *sou* of their rates. These, therefore, instead of being 5*s*. in the pound, would in reality be nearer to 10*s*. or 15*s*., when they fell on those only who could pay. The noble Earl (the Earl of Malmesbury) had urged that such a measure as the present was ridiculous because in particular cases in the manufacturing districts the rates were only 2*s*. in the pound; but before another month these would have mounted up to 5*s*., and that 5*s*. would represent a 15*s*. rate. The noble Earl had also said that this Bill was promoted by interested individuals. With the exception of one very small class, he believed that all in Lancashire and the manufacturing districts of Cheshire were of one mind as to the necessity of a loan.

He quite appreciated the objection that many felt to this measure, but it must be remembered that it was introduced to meet an exceptional case. There might be some truth in the complaint that the manufacturers had not sufficiently exerted themselves to procure a supply of cotton from other places than America; but that had nothing to do with the distress which was now weighing upon the working classes, who certainly were not responsible for any neglect that might be charged against their employers in this respect. What was now asked was, not that the State should come forward to relieve the distress, but that the people of these districts might be permitted to bear the burden themselves, by borrowing the money and extending the repayment over a series of years. He trusted this would be conceded, and he had no doubt that when the present cloud passed away, either by the cessation of the civil war in America or by obtaining a sufficient supply of cotton from India or elsewhere, the artisans of Lancashire would again exercise the same industry, enterprise, and self-denying economy and forethought which had enabled them so far to bear the severe pressure to which they were now subjected.

The Earl of MALMESBURY explained that his statement with regard to the probable amount of rates in Lancashire was based on the official estimate of the Poor Law Department.

Lord EGERTON of TATTON said, the Poor Law Department was very much mistaken if it believed that the rates would be only 2*s.*, or double 2*s.*

Lord OVERSTONE said, that having been associated with the people of Lancashire in the days of their former properity, he could not be silent in the hour of their adversity. He felt satisfied their Lordships would exercise a sound discretion in giving their assent to this Bill, which was the only practical measure that had yet been submitted for enabling Parliament to make adequate provision for the present extraordinary and anomalous condition of the cotton districts. But, while assenting to the measure, he felt bound to express the great concern with which he witnessed the necessity that compelled their Lordships to adopt a most questionable principle, and one fraught with the greatest danger as a precedent—that of introducing into the Poor Law system the principle of rates in aid, accompanied, he greatly feared, by a suspension of the labour test. Now, he held that the principle of a rate in aid was thoroughly antagonistic to the existing Poor Law system. No doubt latent traces of such a principle appeared in the Act of Elizabeth; and when the present system was established, full weight, perhaps, had not been given to that consideration; but an Act giving vitality and force to that principle must more or less endanger the safeguards surrounding the general right to relief, and could only be justified by the most urgent and overwhelming necessity. The Bill also introduced, for the first time, the principle of granting borrowing powers. While he admitted that such a principle was open to objections, yet, under present circumstances, there was a good deal to be said in its favour. All the provisions of this Bill were founded upon the calculation that this tremendous evil would be of only a transitory nature. If that was so, the districts which were now suffering would be the first to feel the full effects of a return of prosperity, and consequently this would be only a temporary expedient, enabling them, instead of seeking extraneous assistance by casting their burden upon other districts, to bear it themselves, and by casting it forward a few years to discharge the debt which they would have incurred in the hour of adversity in the years of returning prosperity. Upon that ground he assented to the borrowing powers. Lastly, they were by this Bill treating all the labourers of the cotton districts as the recipients of pauper relief, and by so doing they must in a serious degree interfere with and weaken the principles of self-reliance and independence which were so valuable to the moral character, and which these persons had up to this moment been most anxious not to surrender. These suffering persons in the cotton districts were not in any rational sense of the word paupers, and they ought not to be mixed up with the pauper system of the country. Paupers were a class of persons reduced to the lowest point of society by the uncertainties of the labour market, or by the caprices of taste, or by one of the many accidents necessarily connected with our social system. The persons who were now pressed down to a lower position, were not the victims of any ineradicable principle of our social system, but of a tenacious and extraneous adherence to a great principle of State policy; and it was therefore a grave question whether, under those circumstances, resort ought not to be had to the national resources for their relief or assistance. Upon that question, knowing the difficulties which beset it, he would not pronounce an opinion; but he besought their Lordships and the world calmly to consider the circumstances of the present crisis. There were in this and a neighbouring country immense numbers of persons who were reduced to destitution, not through idleness or any other fault on their own part, but because they could not obtain the material on which to exercise their industry; and there were across the Atlantic, according to the most reliable accounts, 4,000,000 bales of the raw cotton which these persons required. There was the raw cotton anxious to come to us and here were the millions, he might say, of persons who were reduced to misery and want because they were not permitted to touch that cotton. This was a serious and alarming state of things, and he was sure that it would be felt to be so by their Lordships. He trusted that it would not long continue, and he would humbly pray that it might terminate without causing still more serious injuries to our population. He hoped that for the present state of things a solution would be found, and that the unnatural contest which was now going on would not be much longer protracted. He trusted that those who not only shared the same blood and spoke the same language, but had lived and grown proud as citizens under the same institutions would return to amicable intercourse, whether it was under one or more independent Governments — a question with which it was not for us to interfere — and that an honourable and honest class of our population might be permitted again to apply their industry to the production of articles which would conduce to their own maintenance and comfort, and at the same time add to the material wealth of the world.

Lord REDESDALE said, he regretted that when the Government accepted the objectionable provision which conferred borrowing powers upon the guardians, they did not insist upon the surrender of the rate in aid; because it was obvious that if money was borrowed the same economy would not be applied to its expenditure as was exercised in the case of money raised by rates, and the guardians would soon call upon their neighbours for a rate in aid. He also complained that the Bill had not been so successfully drawn as it ought to have been. It was provided that no union in which the rate amounted to 3*s.* in the pound should be called upon to contribute to a rate in aid, but there was no similar provision as to parishes. The provision with regard to unions in different counties also seemed to be rather loose, and it was not clear whether "the greater part" of the union, as determining to which county it should contribute, meant the greater part in acreage or the greater part in population.

Earl RUSSELL wished to say a word as to the anxiety which had been attributed by the noble and learned Lord to the millowners to throw off the burden of the distress under which their workpeople were labouring. He did not think that these persons were open to the charge. The borrowing powers might be unwise, but it was obvious, that whether the money were paid at once, or whether it were raised by loan, the burden must fall on the millowners. On the other hand, a rate in aid would in some cases procure contributions from other parts of the union which were in agricultural districts. It was clear therefore, that if the manufacturers looked merely to their own interests, they would be in favour of the rate in aid rather than of a loan. It was also right to observe that the exigency which the Bill was intended to meet had not yet arisen. The measure was intended to provide not for an existing evil, but for any aggravation of the present state of things which might occur during the recess. The artisans of Lancashire were now bearing their privations and endeavouring to maintain their independence in a way which elicited the commendation of all parties; but care should be taken to provide means of relief in case more severe distress fell upon them.

Motion *agreed to;* House in Committee accordingly; Bill *reported,* without Amendment; then Standing Orders Nos. 37 and 38 *considered,* and *dispensed with;* and Bill read 3^a, and *passed.*

[*Royal Assent,* August 7; 25 & 26 *Vict.*, c. 110.]

CORRUPT PRACTICES PREVENTION ACT CONTINUANCE BILL—[Bill No. 226.]

Order of the Day for the Second Reading, and for Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with, and the Lords Summoned, read: Bill read 2^a accordingly; then Standing Orders Nos. 37 and 38 *considered,* and *dispensed with;* Bill *committed* to a Committee of the Whole House: House in Committee accordingly; Bill *reported,* without Amendment; and read 3^a, and *passed.*

[*Royal Assent,* August 7; 25 & 26 *Vict.,* c. 109.]

NIGHT POACHING PREVENTION BILL.

[Bill No. 246.]

On Order for Consideration of the Commons' Amendment to this Bill,

The Earl of STRADBROKE thought that the alterations which had been made in the Bill in the Commons were objectionable, but considering the late period of the Session, he would advise their Lordships to agree to them.

Lord LYVEDEN said, he must confess that this Bill was one of the most confused and bungling pieces of legislation that had ever passed through Parliament. The Bill, as sent to the Commons, was founded upon a sound principle—namely, to put a stop to persons going about the country at night in pursuit of game. It was a Night Poaching Prevention Bill; but it had had three new titles and four new shapes. As it had come back to their Lordships it was highly objectionable, and would lead to more murders than had yet arisen under the old law relating to poaching and game preserving. The Amendment which empowered the police to seize any "gun or guns" was certain to lead to constant collisions, which would end in murder. He defied any one to understand the provisions of the Bill. If they were to make game property, they would be adopting at least an intelligible principle of legislation; although there must always be a great distinction between property in game and property in other things. He was inclined to deny that game could be regarded as property in the same manner as fowls, and the attempt to establish analogy between them totally failed. But he would infinitely prefer to have game made property than to pass such a Bill as this. They did not venture to call game property, but they called in the police to protect that which they disclaimed being property. The police, who in many country districts were regarded as unnecessary, and were therefore unpopular with the ratepayers, would be made still more unpopular by this Bill, which would be ineffective to accomplish the objects professedly aimed at by its promoters. He believed that the Bill would make the constabulary unpopular, and would not have the effect of preventing poaching.

Lord DENMAN said, he could not agree to the Amendments which had been made in the Bill. He was opposed to the police obtaining the additional powers proposed to be given to them.

Lord WENSLEYDALE thought that the remedy for many of the evils connected with poaching would be to make game property.

The Duke of CLEVELAND remarked, that the Bill was originally a Night Poaching Bill, in which shape, he thought, it was unobjectionable. It was not intended to interfere with the Game Laws as now existing, but was intended simply to prevent night poaching. When it left their Lordships' House, he had deemed it incapable of improvement, and he did not imagine that any alteration was to be made in it. Now, however, it was a totally different Bill, and he was afraid that it would not answer the purpose for which it had been intended. Game stood in a very different position now to what it did under the old feudal laws. Formerly the land was almost all waste; now it was almost all enclosed, and game was preserved and fed as carefully as domestic fowls, and was as much an article of sale in our markets. In fact game, whatever was the case once, was now property; and it ought to be declared to be so by law.

Earl RUSSELL said, he was disposed greatly to regret the existing state of the Game Laws, but was sorry to find that such a measure as that before the House was the fruit of the wish of Parliament to legislate on the subject. The Bill, as it originally stood, was intended to prevent night poaching—an object which he admitted it was, in consequence of the bloodshed and lawless habits which the pursuit occasioned, most desirable to effect. The House of Commons, however, had made it quite a different measure, and had turned it into a Bill to prevent poaching generally; but at the same time the Commons had introduced a considerable improvement in the principle. When the Bill left their Lordships' House, it proposed to enact that any person found in possession of game, or implements for taking it, between sunset and eight o'clock in the morning, should be fined £5, unless he proved that the possession was lawful. This was contrary to the principles of English law and jurisprudence; and the Commons modified the clause, throwing the *onus probandi* on the party prosecuting. But while they improved the principle of the Bill, he was afraid that they had destroyed its efficiency as a remedy for the evils against which it was directed; because it would, he thought, be found very difficult to prove that the man who was found on the high road with game in his possession, was the same person who unlawfully entered upon any land in search of it. For his own part, he should be glad to hear the question discussed, whether game ought not to be made private property; but, at the same time, it was difficult to say how far such a principle ought to be extended. Pheasants, which were regularly fed in particular places, and were sent to market as regularly as ordinary poultry; partridges which eat the grain of the farmer, and were generally to be found in the same localities — might very easily be brought within the category of private property; but as much could not, perhaps, be with equal justice said of grouse, which were in the habit of flying from one hill to another. There seemed to be no ground for taking them out of the category of *feræ naturæ.* The question was one which certainly admitted of discussion, but the present was not, he thought, the period of the Session to enter upon its consideration.

Commons' Amendments *considered,* and *agreed to.*

[*Royal Assent,* August 7; 25 & 26 *Vict.,* c. 114.]

UNITED STATES—THE CIVIL WAR—CONFEDERATE STATES OF AMERICA.

ADDRESS FOR PAPERS.

Lord CAMPBELL rose to move for

> "Copies or Extracts of any Correspondence which Her Majesty's Government have received from Mason, the Southern Envoy, relating to the Acknowledgment of the Confederate States of America by Great Britain."

He said, as the Government had already laid before Parliament, in the first number of the papers on America, the despatch of Colonel Mann and Mr. Yancey, demanding the acknowledgment of the Southern Confederacy in 1861, and had also laid before Parliament a despatch of Mr. Mason at the beginning of the present year on the blockade, there could be no technical objection to present any correspondence of a later period. It was well known that the Southern envoys, both in London and in Paris, had recently demanded the acknowledgment of the States they represented, and of which the power to defend their capital against an invading force was in the last days of June triumphantly asserted.

In one sense, indeed, the papers would be useless; they could do little to enhance —so strong was it already—the conviction which appeared to pervade society and Parliament, that the war ought to end in separation of the Northern and the Southern Powers. It was not too much to say that no class or party in the country any longer desired to see the reconquest of the South and the reconstruction of the Union. The unanimity might be traced to many different causes. It was owing in some measure to the seasonable flood of light which Mr. Spence, in his well-known work, had thrown upon the subject. It was owing in a still greater measure to the speech of the noble Lord the Secretary for Foreign Affairs, on the 10th of March, in which he told the world that separation was the issue of the struggle which he contemplated, and that at a period not distant from the time when he was speaking. It was owing also to the labours of enlightened men in the House of Commons, of whom Mr. Gregory had been the most conspicuous. But still more should the unanimous desire for separation and aversion to reconquest in this country be traced to the conviction that the interest of the negro race would be promoted by the former and retarded by the latter; that the area of slavery must be limited when separation happened, and would most likely be extended if reconquest unhappily occurred. It was further strengthened by the fact that the limited advance of the invaders during part of the year, and the capture of New Orleans, had disproved the existence of any Southern party for the Union—had revealed in the South a self-sacrificing heroism and inexhaustible endurance which could not have been counted on before; had shown, in point of fact, that the South could only be restored to the Government which formerly possessed it, by an exterminating war, as well as an aggressive one. Besides the devastation and destruction it would bring upon the South, it was generally seen that reconquest of the Union threatened the North with military despotism, trade with insupportable restrictions, and Europe with prolonged uneasiness.

These papers were not wanted to give new force to a conviction so prevailing, but they might throw light upon the course which Great Britain ought to follow amid the dangers which surrounded her in consequence of this civil war. The first danger of Great Britain—namely, the possibility of Southern subjugation, and all the evils it involved, might be, perhaps, dismissed as a remote one. The second danger, which arose from the continuance of the war—the manufacturing distress it must occasion—was far more serious and imminent. So long as the war continued, a scarcity of cotton must be apprehended. If, indeed, the American supply were utterly and finally extinguished, the means would not, perhaps, be wanting to replace it; but so long as the American supply was constantly impending on the market, they could not hope to gain a large amount from Africa or India. And who should say what degree of social or political disorder might not follow manufacturing distress if it extended over four years or upwards? Another danger for Great Britain, more likely to remain unnoticed, but not less easy to describe, was, that if the war should end in separation before this country had merited alliance from the Southern Power, Canada was exposed without an adequate defence to at least a possible invader. If Canada was unable to support a numerous militia, if Britain was unable to send large armies to her succour, what defence could they rely on except a firm ally upon that continent, prepared at any moment to cross the frontier of the Power by which an unjust attack was made upon our dependency? It should never be forgotten that we were not able to secure the duration of the contest—that after the exhaustion of the combatants we could not prevent other Powers by their influence from bringing the war to a conclusion, although we might refuse to share so great and meritorious an effort. Some persons had ingeniously contended, that looking to British objects, we ought not to bring about or to desire a termination of hostilities; that the evils arising from such a termination were greater than the evils which the war itself inflicted on us, and that our policy and business was to stand still and let it rage as long and burn out as gradually as possible. Such counsels might be just if we had any guarantee for its continuance. But we clearly had not. Suppose Great Britain held aloof completely in the present autumn, while the other Powers of Europe, swayed by the French Government, employed their moral force to terminate the war in Southern independence. In two months Canada might be assailed, and Great Britain be without the least support on that continent.

If, however, Great Britain had united with the other Powers of Europe (after showing every observance to the Government of Washington) in acknowledging the independence of the South, she would not be unsupported in America when separation happened. Such a mode of acting, if it did not at once remove the chance of Southern subjugation, was calculated to remove it. If it did not at once arrest the civil war, it was calculated to arrest it. Of the three dangers, therefore, he had ventured to enumerate, it provided against one, and had a tendency, at least, to neutralize the others.

But if no one could allude to the line of action which became us without the greatest caution and reserve, there was one point on which any man might speak with openness and firmness. Re-conquest being put out of the question, the civil war could never end until foreign Powers had recognised the Government of Richmond. Since modern Europe came into existence no civil war had ended in the sovereignty of the insurgent Power until that Power had been recognized by neutral States, giving an example to the State which aimed at its re-conquest. It was not till Portugal had been acknowledged by Great Britain twenty-five years, that Spain consented to acknowledge her existence as an independent Power. It was not till long after nearly all the Governments of Europe had acknowledged the United Provinces of Holland, that Spain gave up the hope of re-absorbing them. The same circumstance applied to the United States, the South American Republics, to Greece, to Belgium, and to Italy. The acknowledgment by neutral Powers had always preceded the acknowledgment by the Power which first endeavoured to control the insurrection. It was not too much to lay down as a principle, that war must go on against an insurgent State until neutral Powers had acknowledged it. The war for a re-conquest could not be abandoned while neutral Powers sanctioned its continuance. At least it never had been. And that principle would have the strongest application to the Government of Washington. However sickened of the war, it was only by the voice of Europe they could be delivered from the horrible necessity of waging it. Some new and powerful authority was requisite to pave the way for so great a change of system upon their part. Having undertaken to coerce the Southern States; having drawn 500,000 men from peaceful avocations; having sent the tax-gatherer to range among homes which he had never darkened; having ensnared the people of the North into unprecedented sacrifices by a vision which ninety days would always enable them to grasp, but which after two campaigns remained impalpable as ever; with what face could they recede from their engagements, renounce their aspirations, avow at once their error and their guilt, while Europe still declined to acknowledge Southern independence. Separation was impossible, until the effort to reconquer was discarded. The effort to reconquer must go on, until foreign Powers granted to the South the recognition which it asked for. So long as they withheld it, they compelled the Government of Washington to persevere in its unnatural and sanguinary labours.

The whole question as regarded acknowledgment appeared to turn upon the moment. If other Powers of Europe were prepared, had England a right to count upon a better one? Operations of gunboats were retarded by the dryness of the navigable rivers; operations on land, by the fearful heat and the diseases it engendered. Richmond was no longer menaced. Securities at New York had undergone a great depreciation. The war, as far as they could judge, had lost its hold on popular opinion. The Abolitionists who followed Mr. Sumner had ceased to give it their support. Mr. Lincoln in vain endeavoured to raise 300,000 men. The invading army, under Halleck, near the Mississippi was not able to advance. And if many of the most reflecting men believed that in December and January last Europe lost an opportunity of taking that step without which the war could scarcely end, and which would then, perhaps, have closed it, with what decision and despatch ought not a new conjuncture which invited to such a mode of acting be made use of. There was this difference between the present and the former opportunity. In January the Federals had never been victorious in battle, and, however resigned to separation, however hopeless of re-conquest, might still prolong the war in order to recover their prestige, and to repair their military losses. Now, the greater balance of success was likely to extinguish such a difficulty.

But if the present moment is abandoned, what are we to wait for? Not for Northern victories. Such victories would clearly limit our capacity to acknowledge Southern independence, as it was limited from the defeat and death of Zollicoffer in the winter down to the events which have lately driven General M'Clellan to the river. We are to wait, therefore, for new misfortunes to the Government of Washington before we grant to this unhappy strife the possibility of closing. If so, how hard a situation do we place them in. The language of the noble Lord in March, the tenor of events, and the impressions of the world, forbid them any longer to aspire to reconquest. But yet, until their prospects are more dark and their embarrassments more fatal, we will not help them to conclude the war by separation. Is it not enough to see their armies driven back, their capital alarmed, their spirit gone, and their finance exhausted? Before we grant the extrication they must owe to neutral Powers, are we to wait until the Southern forces are again aggressive and triumphant; until the invaders are invaded; until the avengers are the victims; until the Northern States are overrun; until Washington is occupied; until, at least, its Government has encountered new humiliations, losses, and disasters at the hands of the people whom they had rashly undertaken to chastise and to subdue? At least, England is hardly justified in waiting for new reverses to the Federals, unless it is the only conduct in which the other Powers of Europe would support us. In that case, no doubt we are entitled to pursue it. Perhaps the noble Lord the Secretary for Foreign Affairs will describe such a case as being the real one. If not, his silence will explode it. The noble Lord concluded by moving for the Correspondence.

Earl RUSSELL: I am sorry to have to say that I do not think it expedient to give the papers which have been moved for. The Envoy of the Southern States has never been officially received here; and as the correspondence has been entirely of an un-official character, I do not think it would be advisable to produce it. There is, however, a despatch of Mr.

Seward's communicated to me by Mr. Adams, and another to Mr. Seward in reply, in which the views of Her Majesty's Government are stated. We remain as we were a few months ago—we have not altered our position, and there is little more than that fact contained in the despatch. If in the course of the recess we should think it desirable to adopt any new line of policy, I should think it necessary to communicate with the maritime Powers of Europe before taking any steps. I make that statement because my noble Friend seems to understand that the maritime Powers wish to recognise the Southern States, and that some objection on our part has prevented the recognition. Now, I have had no communication from any foreign Power stating any wish or making any proposition with regard to the recognition of the Southern States of America. Under these circumstances I hope my noble Friend will not press his Motion, as it would not be convenient to give the papers now, though I may produce them hereafter.

The Earl of MALMESBURY said, the noble Earl had, he thought, used a wise discretion — such as might be expected—in not producing communications from a person who was not officially recognised. He did not know whether the noble Lord would think it necessary to exercise the same reserve with respect to one or two points which he might be excused for mentioning, because of the period of the Session. They were now, at a most anxious moment, about to separate for five months. The country was very ignorant of the state of our foreign relations in regard to the American war, and felt a great anxiety to know a little more, if the noble Earl thought it within his duty to give the information. One point of great interest was this. He (the Earl of Malmesbury), from the first day of the Session, had always said that the whole question of the blockade, or of interference by way of recognition or mediation, was one of time, and must be left to Her Majesty's Government, who alone were responsible for choosing the proper time for acting. It would, however, be very interesting to know whether, when that time did arrive, the noble Earl had ascertained that he would be assisted in a policy of recognition or mediation by any or several of our allies. He did not think it possible that anything could be done by this country alone. We should be doing more harm than good if we were to attempt it, in consequence of the very unjust feeling which seemed to exist in the United States. But he could not but hope, when the moment arrived for something to be done, that we should be backed by our ally on the other side of the Channel, by Russia, and by other Powers of Europe. He should be glad to know if the noble Earl had hopes of bringing the opinion of those Powers to bear on the question. Such an immense force of public opinion could not but have great weight in America. There was another point of importance. He could not but think that this country had some expectation of this question being discussed. He thought the time, moreover, was approaching when it might be discussed with the United States if Lord Lyons were at his post; but he feared that Lord Lyons's absence, if it were much prolonged, would, besides being a disadvantage to the noble Earl's policy, make it appear to many persons that the time when Her Majesty's Government could interfere was not very near at hand. He did not believe that Lord Lyons had been recalled by anything but very pressing business of his own. He should be sorry to interfere with any pressing concerns on the part of Lord Lyons; but the noble Earl would agree with him that for the sake of appearances, as well as for practical considerations, it was not desirable that Lord Lyons should be very long absent from his post.

Earl RUSSELL: I will answer as well as I can the questions put to me by the noble Earl. With regard to the first question, I agree with the noble Earl that if any steps are taken, it would be desirable that they should be taken by all the principal Powers of Europe. I do not doubt that the opinion of the maritime Powers of Europe would carry much weight with the Government of the United States; but it is very desirable that all the great Powers should join in any representations that may be made. With regard to France, all I can say is, that hitherto there has been an intimate and unreserved communication between Her Majesty's Government and that of the Emperor of the French, and I do not recollect any instance in which a difference of opinion has arisen between them on this subject. With regard to the Government of Russia, I am not in the same constant communication with that Government; but if I were to state the inclination of my mind, it would be that Russia would be ready to consider any step that might be thought necessary, and that both Russia and France would weigh in a most impartial spirit any proposition that might be made to those Governments. With regard to the other Powers of Europe, I should say that they are disposed to take the same view. If, however, I thought it my duty, and if Her Majesty's Government thought it their duty to make any such communications, they ought very deliberately to consider the matter before any such step is taken. I say so the more particularly because, unfortunately, an opinion prevails in the United States with regard to this country which is not justified by any conduct on our part, because it has been as friendly and as straightforward as possible. With regard to the second question, as to Lord Lyons, I would say that no man ever attended more assiduously to the duties of his mission than Lord Lyons, and those duties have been not only onerous, but have caused him great anxiety from time to time. Lord Lyons has acted with perfect discretion on every occasion on which he has had to transact business with the United States Government; but after two or three years' discharge of the duties to which he was recommended by the noble Earl, and after filling the position he occupied at Washington, his health gave way. We felt that we could not expect to obtain the full benefit of his advice and assistance if he were in a bad state of health; and when Lord Lyons asked for a short leave of absence, to spend the summer here, his request was granted. About the beginning of October—or earlier, if necessary—he will return to his post, and in the mean time the duties of the mission will be adequately and effectively performed by Mr. Stuart, who is in friendly communication with the United States Government.

Lord KINGSDOWN said, that their Lordships had reposed a most unusual confidence in the Government in reference to American affairs; for during the whole of the Session, with, perhaps, only a single exception, matters of extreme nicety and importance had been left to the judgment and discretion of Her Majesty's Government. He did not complain of this; but one reason for this reticence had been that the noble Earl the Foreign Secretary had entertained and expressed a more sanguine view of the termination of this dispute than the event had justified. The noble Earl had expressed a confident belief that in the space of two or three months the dispute between the North and South would be so far settled that any interference on the part of the Legislature in the mean time would be prejudicial rather than advantageous. He did not blame the noble Earl for being mistaken, for it was impossible to anticipate the course of events in the United States. But one result of the noble Earl's deprecation of discussion had been, that a question of very great moment, and one which well deserved the most serious consideration of their Lordships, which was at that time at issue—namely, the principle of the efficiency or inefficiency of the blockade then established of the Southern ports—had not been discussed, as it might very advantageously have been discussed, three or four months ago. It was now perfectly useless to enter upon this question. If this country were to recognise the independence of the South, the right to blockade the ports of the South would remain, and any interference on our part with that blockade would probably be followed by a war with the Northern States. He trusted that the noble Lord would withdraw a Motion which could not be attended with any good results.

Earl RUSSELL said, he felt very grateful to their Lordships for their abstinence from interference with the discretion of Her Majesty's Government, which he trusted had been wisely exercised in this matter.

Lord CAMPBELL said, that as the noble Earl (Earl Russell) thought it inconsistent with the public interest to grant the papers, he would not press the Motion, but withdraw it. Even if the papers were withheld, it was notorious that since the battles before Richmond Mr. Mason had renewed his demand for the acknowledgment of the State he represented. As regards the observations of the noble and learned Lord (Lord Kingsdown) he appears to be so much engaged with the blockade as to have closed his mind to the remainder of the subject. He (Lord Campbell) never once alluded to the blockade, or raised a question with regard to it. Nor had he, as the noble and learned Lord ascribed to him, suggested any kind of mediation. He recommended the acknowledgment of Southern independence, in concert with the other Cabinets of Europe, because that course would guard against three intelligible dangers, and because, according to all apparent probabilities, the civil war would go on until that course had been adopted.

Motion (by leave of the House) *withdrawn.*

CASE OF WILLIAM HERDMAN.

QUESTION.

Viscount DUNGANNON rose to call attention to the Case of William Herdman, convicted at the County of Antrim Assizes at Belfast of the murder of his Cousin, John Herdman, and recommended to mercy by the jury on the alleged ground of insanity; and to inquire as to the course Her Majesty's Government will adopt. Petitions were being got up, asking the Government to spare the culprit's life on the ground that he was eccentric, subject to fits of passion, and apt to imagine that persons who had no evil intention towards him were disposed to injure him. He wished to know what steps the Government would take in the matter; for if they interfered with the course of the law on such a ground, there would be no security for life in Ireland.

The Duke of NEWCASTLE said, the effect of the noble Viscount's question was to point out, that whatever might be the representations made to the Lord Lieutenant on behalf of the man in question on the ground of insanity, the convict ought nevertheless to be hanged. It was a most delicate matter for either House of Parliament to interfere in any matter connected with the administration of justice, and still more with regard to the exercise of the prerogative of mercy which belonged to the Crown. He thought it would be most improper of him to give any other answer to an inquiry, that ought not to have been made, than that in this case the usual course would be followed by the Government in respect of any representation which might be laid before them.

THE THAMES EMBANKMENT — BLACKFRIARS BRIDGE.—QUESTION.

Lord REDESDALE rose, according to notice, to call the attention of the House to several of the Provisions connected with the Thames Embankment, and to suggest further Improvements; also to inquire the Amount of Money expended in the Repair of Blackfriars Bridge during the last Thirty Years, and the present condition of that structure. The noble Lord said he was unwilling, in the thin state of the attendance in the House, to detain their Lordships with any lengthened observations; but the subject had been so little debated in that House, and the measure itself was of so important a character, that he was unwilling to allow the Session to close without calling attention to some points connected with it. Very erroneous impressions prevailed with regard to the magnificence of the object to be attained—quays and fine works of that description were spoken of. But it must be remembered that the embankment was to be carried at the back of very shabby streets, and, instead of a fine façade of buildings rising from the quays, there would be one of the ugliest backgrounds imaginable. If any one wanted to see what the future Thames Embankment would be like, he need only go as far as Milbank. It would be an undoubted advantage to remove from the Strand some portion of the traffic with which it was now flooded, especially the influx coming from Pall Mall and the West End through Trafalgar Square. But the scheme contained no provision whatever for bringing this traffic down to the embankment, except by one very awkward approach with a steep gradient, and at right angles to the river. If, on the contrary, Duncannon Street were continued by a new thoroughfare crossing Villiers Street and Buckingham Street, there would then be a direct and easy method of approach from the West End. He earnestly hoped Her Majesty's Government would place themselves in communication with the Metropolitan Board of Works, in order that the necessary notices might be given, not only for the construction of this new street, but also for the widening of Parliament Street, in case Parliament in its wisdom should sanction both those measures. He further wished to obtain from the Government some information respecting the condition of Blackfriars Bridge. Having inquired into the subject, he found, that with the exception of a single pier, it was a perfectly sound structure, evincing no decay whatever; and if a moderate expenditure were made on that one weak place, it might stand for any number of years to come. On the repairs and strengthening of that bridge alone a sum of £100,000 had been spent within a comparatively recent period. £264,000 were now required to build a new one in its stead. He thought the Corporation would employ the money much better, and confer a far greater benefit on the public, by obtaining possession of Southwark Bridge, and making it free of tolls. If they felt at liberty to apply the money in hand to other purposes, there was another improvement which would be of very great importance in connection with the Thames Embankment—namely, the opening of a street from Cannon Street to the Mansion House, which would relieve Cheapside of a large portion of its surplus traffic. To build new bridges with such a scheme as the Thames Embankment in progress was worse than objectionable—it was absurd; because the scour of the river might be increased to such an extent as to render wholly unprofitable the money expended upon those structures.

THE DUKE OF NEWCASTLE said, it was not, of course, to be expected that London would ever have quays as fine as those of Paris, Vienna, or Dublin; but they ought to have something more sightly than the mud banks at present exposed at low water. His noble Friend had, however, greatly underrated the embankment scheme. It was true that the embankment at the Blackfriars end was left rather incomplete; and it was intended to revive the Royal Commission, in order that it might consider the most desirable mode of completing the works. With regard to Blackfriars Bridge, it had been impossible, since his noble Friend gave his notice, to communicate with the authorities of the City, who had the entire responsibility for that bridge. He could hardly imagine that the City authorities would desire to spend so large a sum as the new bridge would cost unless it was absolutely necessary; but the matter rested entirely with them, and all he could do was to take care that a communication was made to them.

House adjourned at half-past Eight o'clock, to Thursday next, Two o'clock.

HOUSE OF COMMONS,

Monday, August, 4, 1862.

PUNISHMENT OF A SOLDIER.

QUESTION.

MR. ALDERMAN SALOMONS said, he would beg to ask the Secretary of State for War, If there is any truth in the report that a soldier at Woolwich has been scrubbed with sand, as a punishment for some barrack offence; and, if true, whether any inquiry into the circumstances has been instituted by the War Office?

SIR GEORGE LEWIS said, it was true that a soldier at Woolwich had been punished in the way described by the hon. Member. He (Sir G. Lewis) understood that the sergeant-major who had ordered the punishment had been dismissed by the Commander in Chief. The inquiry ordered into the circumstances had not yet terminated. If it should be necessary to have a further inquiry, the War Office would see that such an inquiry took place.

COMMERCIAL TREATY WITH BELGIUM.

QUESTION.

MR. SOMERSET BEAUMONT said, he wished to ask the Under Secretary of State for Foreign Affairs a Question respecting the Commercial Treaty with Belgium.

MR. LAYARD said, his hon. Friend was doubtless aware that the Treaty between this country and Belgium had not been ratified, and therefore it could not be submitted to the House. However, he would explain its chief provisions. The Treaty contained what was usually called "the favoured-nation clause," with one or two exceptions, the nature of which he would state presently. The Treaty was a Treaty of Commerce and Navigation, and gave to British subjects all the privileges which were accorded to the subjects of any other nation. It provided that no duties of tonnage or others should be imposed on British vessels which were not imposed on Belgian vessels, and that no privileges should be accorded to the vessels of any other nation which were not extended to British vessels. It provided that goods of every kind legally importable into the ports of Great Britain and Ireland, our Colonies and Possessions, should be imported into such ports in Belgian vessels without being liable to other or higher duties than if such goods were imported in national vessels. It also provided that goods of every kind should be exempted from transit duty; but the prohibition with respect to gunpowder was maintained, and the two Powers reserved to themselves the right to subject the transit of arms to special authorization. The coasting trade of the two countries was to be reciprocal; and this article was applicable to the coasting trade of such of the British Colonies as should apply for it, conforming with existing Acts of Parliament. The Treaty also provided that the regulations for goods imported from France into Belgium under the Treaty of Commerce of the 1st of May, 1861, should apply to the same goods imported from Great Britain. But with respect to pure or mixed tissues taxed *ad valorem*, and the value of which was a matter of some difficulty, the Belgian Government reserved to itself the right of admitting such goods by the Custom House at Brussels. It was likewise provided that the subjects of both Powers should enjoy the same protection as native subjects in all that related to trade-marks, patterns, and models, subject always to the special regulations in each country. This stipulation of the Treaty was not to come into operation until the expiration of a year from the date of the signature. The Treaty also provided that British vessels should be exempted from payment of the Scheldt dues as long as the Belgian flag was exempted; and that if the Scheldt dues should be capitalized by a general European arrangement, the tonnage dues imposed in Belgian ports should cease altogether, and the pilotage dues in Belgian ports, as in the Scheldt, should undergo a reduction of 20 per cent on sailing vessels, 25 per cent on vessels towed, and 30 per cent on steamers. The Ionian Islands were to enjoy all the advantages accorded to the subjects of Great Britain, provided the Ionian Government would extend to the subjects and vessels of Belgium the same advantages which were granted to the subjects and vessels of Great Britain. Ionian vessels were to be furnished with a document signed by the Lord High Commissioner or his representative. The Treaty to continue in force for ten years, to be terminable at one year's notice after that period. As a temporary exception to that article, it was provided—

> "For two years, from October 1, 1862, the new system will be applied in the following manner:—Cotton yarns, twisted, warped, or dyed, are to pay the duties imposed upon single yarns unbleached or bleached, with an addition of five centimes for twisted yarns, ten centimes for warped yarns, and fifteen centimes for dyed yarns, per kilogramme. The duty on stuff or wool mixed with cotton is to be 22½ per cent until October 1, 1863, and 20 per cent until October 1, 1864. During the continuance of this transitory system, the importer may, at his choice, pay either 180 francs the hundred kilogrammes, or the duties stipulated. The duty upon printed cotton tissues shall be 150 francs the hundred kilogrammes. The present duty on the importation of foreign prints is to be maintained in the British tariff; the article relative to spirits, which is contained in the treaty between Belgium and France, of May 1, 1861, is not to be applied to British spirits, so far as regards the reduction therein stipulated, until October 1, 1865."

The Treaty had not yet been ratified by the Belgian Chambers; when it had been, it would be ratified by the Government of this country, and would come into operation.

THE BISHOP OF OXFORD AND THE ACT OF UNIFORMITY.—QUESTION.

MR. HENRY SEYMOUR wished to ask the Secretary of State for the Home Department, Whether his attention has been directed to an Injunction, published in *The Times* of August 1, from the Bishop of Oxford, as Ordinary, to the Archdeacons of his Diocese, requesting them to communicate to the Clergy of their respective Archdeaconries an official command to use a prayer at the conclusion of the Nicene Creed with regard to the war in America? And whether such a proceeding is not a violation of the Act of Uniformity by adding to the prayers contained in the Prayer Book; and, if so, whether Her Majesty's Government are prepared to take any steps to prevent a violation of the Law?

MR. CLIVE said, in the absence of his right hon. Friend the Home Secretary, who was in attendance on Her Majesty, he had, in reply to the question of the hon. Gentleman, to say, that he had read the letter to which he had referred. As far, however, as he understood the matter, there did not appear to have been any violation of the Act of Uniformity. There had been some alteration made with regard to certain special services; but as no new prayer had been introduced, it could not be said that the matter came within the cognizance of the Act of Uniformity. He would, however, suggest that the hon. Gentleman should repeat the Question on Thursday.

RAILWAYS IN CEYLON.—QUESTION.

SIR FREDERIC SMITH said, he rose to ask the Under Secretary of State for the Colonies, Whether he has received any and what Tenders for a Railway from Colombo to Kandy; and if the Secretary of State for the Colonies has received any communication relative to a proposed Tram Railway from Colombo to Trinco malee, with a branch to Kandy, so as to develop the vast agricultural capabilities of the Colony?

Mr. CHICHESTER FORTESCUE replied that several tenders had been received for the construction of the railway, but it would be unadvisable to state publicly the amounts of those tenders. A proposal, or rather a letter, relating to the construction of tramways, had reached the Secretary of State, from a firm of solicitors acting on behalf of parties at present unknown, and his noble Friend (the Duke of Newcastle) had replied that he had no objection to forward the statement to the Government of Ceylon.

OUTRAGES IN PERU.

QUESTION.

Captain JERVIS said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any steps have been taken to obtain from the Government of Peru satisfaction for the outrages committed against Captain Melville White and Captain Cardwell?

Mr. LAYARD in reply said, the treatment by the Peruvian Government of British subjects had been such as to call for the most grave remonstrance on the part of Her Majesty's Government. The two cases referred to by the hon. and gallant Member were only examples of the unjustifiable proceedings which the Peruvian Government had taken with respect to Englishmen in Peru. Captain White had been arrested, thrown into prison, treated in the most barbarous manner, refused a statement of the charges against him, and suddenly sent out of the country. He was now preparing a statement of his case, which, as soon as it was received at the Foreign Office, would be acted upon by the Government and redress demanded for Captain White. Captain Cardwell had had the misfortune to fall into the jaws of what must in courtesy be called a Court of Justice. Until the legal proceedings were exhausted Her Majesty's Government could not interfere; but the case had been referred to the Law Officers of the Crown, and further papers were expected from Peru. When the Government were in a position to act, they would endeavour to obtain justice for Captain Cardwell. Both these cases were most serious, and the House might rest assured that Her Majesty's Government would insist on full reparation.

FLOGGING AT THE PATRIOTIC FUND ASYLUM.—QUESTION.

Viscount RAYNHAM said, he wished to ask the Secretary of State for War, Whether it is true that the Ladies' Visiting Committee of the Asylum of the Patriotic Fund have resigned; and, if so, whether such resignations has reference to the fact of a girl of the age of sixteen having been flogged in the Asylum?

Sir GEORGE LEWIS in reply said, he understood that in January, 1861, a girl between fifteen and sixteen years of age received corporal punishment in the school which was under the management of the Commissioners of the Patriotic Fund, and that punishment was administered by the lady superintendent in the presence of two of the schoolmistresses. The Ladies' Committee, who were a portion of the superintendence of the school, did not take any notice at the time of this matter; but lately they had raised a question upon it, and the General Committee of the Patriotic Fund School had investigated the matter, and decided the question against them, and in support of the discretion of the school authorities. In consequence of that decision a portion of the Ladies' Committee had resigned; and he believed that the Patriotic Fund Commissioners had prepared a Report upon the subject which would shortly be presented and which would contain a full narrative of the circumstances.

CLAIMS AGAINST OUDE.—QUESTION.

Colonel FRENCH put a question which for some time had stood in his name relating to claims on the State of Oude.

Mr. T. G. BARING said, that the papers respecting a portion of the claims were already on the table of the House, and these included the original letter and a Report upon the claims of the representatives of Colonel Frith, and others. The answer of the Secretary of State for India in Council was also laid upon the table; and he could add nothing to the information which was already in the hands of Members. There had also been laid on the table the Report of a Commission with respect to other claims upon the Government of Oude, and the Report was under the consideration of the Secretary of State for India in Council. No answer had yet been sent out to the Report, which had only been lately received.

FISHERIES (IRELAND) BILL.

[BILL NO. 170.] COMMITTEE.

Bill *considered* in Committee:—

COLONEL FRENCH said, a period of the Session had now been reached at which it was hopeless to expect that this measure could be carried. Even if it passed through all its stages in the House of Commons, it would have to be submitted to the other branch of the Legislature, whose sanction it could not possibly hope to receive in the present year. It therefore was clearly useless to press the measure on the attention of the House; but he wished, before taking any final step in reference to it, to ask the noble Lord at the head of the Government whether he would undertake, on the part of the Government, to introduce a Bill dealing with the question of Irish fisheries? The subject was one of so much importance, and affected such large and varied interests, that it ought really not to be left in the hands of a private Member. The salmon in the Irish rivers ought, under proper management, to form an important element in the food of the people; but, if the present system were persevered in much longer, it must end in the extirpation of that fish, which had already disappeared from an important area of the Irish waters. He hoped his noble Friend would be able to give a distinct assurance that a Bill would be brought in by the Government next Session; or, if he was not prepared to go that length, that the attention of the Government would be directed to the subject during the recess. There was nothing to deter them, but, on the contrary, everything to encourage legislation on the subject. The principles of this Bill had already been sanctioned in England and Scotland, and all that was sought was to assimilate the law in the various parts of the United Kingdom.

MR. BUTT said, he was anxious to say a few words before the noble Lord at the head of the Government answered the question which had just been addressed to him by the hon. and gallant Member for Roscommon (Colonel French). He could not agree with the description of the Bill given by his hon. and gallant Friend. The Bill went much beyond a mere assimilation of the law of England and Ireland. On the contrary, it was proposed to do in Ireland that which had never been attempted in England, and which, he believed, in that country would not be tolerated. The English Bill preserved all existing rights; the Irish Bill, on the contrary, proposed to extinguish them, although they had been secured, if not created, by an Act of Parliament. He had no wish to enter into a discussion of the general subject, but the noble Lord ought clearly to understand that this Bill was strongly opposed by a large section of the Irish Members, and by a still larger proportion of the Irish people. If Government wished to consolidate the fishery laws, or to make any regulations for the better preservation of fish, he should offer no opposition to any measure intended for the general benefit; but he hoped the noble Lord would not think of giving a direct pledge on the part of the Government to legislate in the partial and oppressive spirit of the present Bill, or to give any support to a measure embodying such mischievous and unjust provisions.

SIR WILLIAM SOMERVILLE felt compelled to express dissent from the views expressed by the hon. and learned Member for Youghal (Mr. Butt). Legislation was not only desirable, but imperative, if the supply of fish was to be kept up in Ireland, and if, instead of continuing to be a monopoly, the public were to enjoy the benefits of that article of food. It must be remembered that there were public as well as private rights, and the latter were sometimes acquired at the expense of the general community. Such, in fact, had been the case in 1842, when the Act of Parliament which had been referred to unjustly created and endowed a new body of proprietors with privileges previously belonging to the public at large. He ventured to say, that if the hon. and learned Member for Youghal had been in the House at that time, he would not have been able to give his adhesion to a measure so diametrically opposed to the public interests.

LORD FERMOY criticised the constitution of the Select Committee to whom the Bill had been referred. With possibly one or two exceptions, the Members were all enthusiasts in favour of this scheme of spoliation; they hurried over the inquiry, taking just as much evidence as favoured the views of the majority, and refusing to hear either arguments or testimony on the other side. He felt bound to oppose any measure which might have been sent down embodying such foregone conclusions.

COLONEL FRENCH defended the constitution of the Committee, asserting that it had been impartially chosen, that the various points of controversy were fully discussed in the course of the fourteen sittings which had taken place, and the earnestness with which the Committee devoted themselves to their labours was evident from the fact that they even adopted the unusual course of sitting upon Saturdays. No one could allege that they had been in any degree taken by surprise, as the measure was introduced at an early period of the Session.

VISCOUNT PALMERSTON said, it was very obvious that the Bill could not pass this Session; he therefore concurred in the propriety of the course proposed to be adopted. He could not pledge himself as to the course which the Government might adopt next Session; but it was a very proper one for discussion, and one upon which hon. Gentlemen seemed to entertain widely different views.

COLONEL FRENCH asked the noble Lord at least to promise that the subject would be considered during the recess. It was a measure to which great importance was justly attached in Ireland, and the statement that Government would have its attention directed to the subject would be attended with beneficial results.

VISCOUNT PALMERSTON had no hesitation in stating, that the matter should be considered by the Government.

COLONEL FRENCH then moved, "That the Chairman do now leave the Chair."

Motion *agreed to*.

[No Report.]

MR. FARNALL, POOR LAW INSPECTOR.

OBSERVATIONS.

MR. C. P. VILLIERS, in moving for Copies of Reports made to the Poor Law Board on the education of Pauper Children, availed himself of that opportunity to call attention to a letter addressed to him by Mr. Farnall, one of the Poor Law Inspectors, which, in justice to that gentleman, he felt bound to read. Mr. Farnall considered that a speech recently made in another place by a noble Lord affected his character, and he was desirous that he should be set right in that House. In a letter addressed to him (Mr. C. P. Villiers) Mr. Farnall called attention to the report of the speech in *The Times*——

MR. SPEAKER said, the hon. Member was out of order in reading a letter with reference to a debate in the other House.

MR. C. P. VILLIERS: I did not say the other House; I said "another place." A noble Lord made a statement affecting the character of Mr. Farnall. ["Order, order!"]

MR. SPEAKER: The right hon. Gentleman is not in order.

MR. C. P. VILLIERS: A statement has been made respecting the character of Mr. Farnall. ["Order!"]

MR. SPEAKER: I must again call the right hon. Member to order.

MR. C. P. VILLIERS: I trust the House will not be unwilling to allow this gentleman to vindicate his character. He has done so in an extremely respectful communication, in which he replies to a statement which he considers erroneous. ["Hear!" *and* "Order!"]

MR. SPEAKER: The right hon. Gentleman cannot read a letter commenting on a debate in the other House.

MR. C. P. VILLIERS: When a public servant whose reports have been referred to in this House has been assailed, I thought that the House would allow me to make some statement in his vindication. ["Order, order!"]

MR. SPEAKER: It would be equally out of order for the right hon. Gentleman to comment on any statements made in the other House, as to read the report of any Poor Law Inspector upon them.

MR. C. P. VILLIERS: I hope I may be able to say that a statement has been made by a noble Lord somewhere—— ["Order!"]

MR. SPEAKER: What cannot be done directly cannot be done indirectly. If the right hon. Gentleman proceeds with his observations, he will be out of order.

MR. C. P. VILLIERS said, that he would take the opportunity of moving for the Returns, if he was not allowed any other, of referring to an Inspector whose name had been much mentioned in their recent discussions. Mr. Farnall had been appointed by the Government as a special Commissioner to proceed to and report upon the distressed districts in Lancashire, and he had been selected as a man of judgment, intelligence, and humanity. Members in that House, and many persons out of that House, had borne favourable testimony to his conduct and to the wisdom of the choice; the hon. and gallant Member for North Lancashire (Colonel W. Patten) had specially referred in that House to the excellent manner in which Mr. Farnall had discharged the difficult task imposed upon him; and he believed that he had given offence nowhere, unless it might be where that small-minded pedantry prevailed which seems to believe that the Poor Laws are never soundly administered unless when done in a spirit and in a language that makes them hateful to the people. He had cautioned Mr. Farnall against adopting this course himself, and counselled him to conciliate, and, if possible, to acquire the confidence of all those who were engaged either in administering the relief, or who were destined to receive it. This Mr. Farnall had faithfully accomplished, and those whe employed him had been well satisfied with the manner in which he had performed his duty.

Motion *agreed to.*

Return *ordered,*

"Containing Copies of Reports made to the Poor Law Board on the Education of Pauper Children by W. H. T. Hawley, esquire, Robert Weale, esquire, Sir John Walsham, baronet, and Andrew Doyle, esquire, Poor Law Inspectors."

ADJOURNMENT OF THE HOUSE.

Moved, That the House, at its rising, adjourn to Thursday next.

THE LAW OF MARRIAGE—THE YELVERTON CASE.

QUESTION.

MR. HENNESSY said, he wished to ask a Question of the noble Lord upon a matter which he brought under the attention of the House at the same period last year. He believed that upon the last day of the last Session he asked whether the Government intended to take any steps to remedy the extraordinary contradictions in the marriage law of different parts of the kingdom. A recent case exhibited not only a different state of the law, but a different mode of judicature. He referred, of course, to the recent decision by the Lord Ordinary in the Yelverton Marriage Case. The Lord Ordinary of Scotland gave a decision at variance with the direct verdict of an Irish jury, composed one half of Protestants, and the other half of Catholics. The Lord Ordinary did not examine witnesses; but, having before him a mass of depositions, he ventured, upon that written evidence, to give an opinion upon a question of fact directly opposite to that at which twelve Irish gentlemen had previously arrived. He might also add, that the witnesses at the trial were examined and cross-examined before the jury, and that such was the effect of the cross-examination of some of the witnesses, that the counsel who called them refrained from adverting to their evidence, so completely had it been destroyed; yet the same evidence was referred to by Lord Ardmillan, who did not see the witnesses. It was an extremely unfortunate state of the law, that in any part of the United Kingdom two adult persons—not children—should be able to come into a place of public worship, kneel down at the altar of God, make solemn vows upon such a solemn subject as matrimony (the man placing a ring upon her finger, and declaring that he would take the woman to be his lawful wife, and the woman declaring that she would take the man to be her lawful husband), and that such a ceremony should be called in question—not set aside—by the decision of a Scotch judge. He maintained that the law was eminently defective, and that the system of jurisprudence was likewise defective, and he asked the Government what steps they would take with regard to such a state of things. He saw present a right hon. and learned Gentleman who was well acquainted with Irish law, and also with this particular case, and he would like to know what was his opinion upon a case in which the majority of his countrymen took a most lively interest.

MR. WHITESIDE said, he thought the subject to which the hon. and learned Gentleman had called attention one of great interest. It was said by lawyers, perhaps ironically, that a man might have a wife in each of the three kingdoms, although polygamy was not permitted. The difference between the law in England and Ireland might be remedied, and there was a measure before the House which, with certain limitations and provisions, might have got rid of the difficulties which an old statute in reference to Ireland occasioned. But the decision to which the hon. and learned Gentleman adverted placed the law of marriage in a peculiar position. It was said that severe cases and great practical abuses sometimes led to an amendment of the law. What had happened in this case might happen again. A gentleman might be bound by the decision of a jury to support a lady as his wife in Ireland. The question might be submitted to the Court for its decision, and the Court be so divided as to make the verdict stand, which was exactly this case; yet in Scotland, in that same case, it might be decided that there was no valid marriage. The decision of the jury in the case mentioned, involved two questions, one of which might be said to be unnecessary — Was there a marriage by the law of Scotland, and was there a marriage by the law of Ireland? The question of a marriage in a foreign country when tried here became a question of fact; and upon that question the jury, having heard the evidence of Scotch lawyers as to what was the law of Scotland, were asked, did the parties consent and agree to be husband and wife, and was that consent followed by cohabitation? Upon the evidence the jury came to the conclusion that consent was given and followed by cohabitation, and they found therefore that by the Scotch law as explained to them there was, in fact, a Scotch marriage. With reference to the Irish marriage a different question was raised—whether the gentleman had sufficiently long professed the Catholic religion to make a mixed marriage between a Protestant and Catholic by a Roman Catholic priest a valid marriage. One question of great consequence was determined by the Scotch Judge. He had always understood that consent especially followed by cohabitation constituted a marriage by the law of Scotland. He did not know whether it was attributable to the metaphysical genius of the Scotch nation, or to the law of the country, that any doubt should be raised; but he could not understand how consent was less consent because the parties knelt down at the altar, and, in the presence of a priest, declared that each took the other to be husband and wife. How was that consent to be got rid of? Was it by the singular interpretation that grown people did not intend to mean what they said?—because if it was held that they meant what they said, and it was followed by cohabitation in Scotland as married persons, one would suppose that there was a Scotch marriage. A very important point arose for the consideration of the Government in reference to the decision of the Scotch Court. In Ireland the witnesses in the Yelverton case were examined *vivâ voce* in open court. It was a very long trial, and it lasted six days. In England, owing to improvements introduced of late years, evidence was now taken *vivâ voce* in the Probate Court and in the Divorce Court, and all the abuses of written evidence were put an end to. But Scotch gentlemen proceeded in this way:—They issued commissions, and under those commissions in England, in Ireland, and in Scotland a vast number of witnesses were examined and a mass of paper evidence obtained. But those witnesses were never seen by the Judge, and yet he came to the opposite conclusion at which the jury arrived who did see the witnesses, namely, that cohabitation in Ireland preceded the ceremony of marriage instead of following. Would they for a moment tolerate that a man should be tried for murder upon paper evidence? He would like to know what chance any man would have in Ireland if tried on paper evidence. Men would in writing state things which, when face to face with counsel in court, turned out to be very different indeed. Letters were criticised by the learned Judge in the absence of all explanations by the writer. In Ireland the writer was produced, and had an opportunity of giving explanations. That person bore an examination of two days without varying her testimony: but it was a melancholy and painful fact, that this test of truth was omitted in Scotland, and letters were quoted by the Judge which, unexplained by the writer, might change the whole aspect of the case. It was a case of great hardship to the unfortunate subject of this anomalous jurisprudence. In Ireland she was entitled to support as the wife of this gentleman, and in Scotland she was not a wife at all. Irrespective of all sympathy for this unfortunate lady, it was a matter for the consideration of the Law Officers of the Crown whether they could apply a remedy which might prevent such anomalies in the future. He agreed in the observation that it was a strange thing to find in any country a system of adjudicating on paper testimony, which could explain away the force and effect of facts deliberately affirmed by the jury to whom they were submitted. The imputations cast on those who tried the case were most unfounded and unjust; for no jury in the empire would have come to a different decision.

The SOLICITOR GENERAL said, he would not follow the right hon. and learned Gentleman either in discussing the merits of the Irish trial, or the judgment in the Scotch Courts, arising out of the same transaction, inasmuch as the Scotch proceedings might be brought under review of the highest tribunal in the land, and nothing could be more improper than to discuss in that House whether this or that judgment was right or wrong. Apart from the circumstances of this particular case, which were very peculiar, and such as they might hope would not happen again, no person of candid and dispassionate mind could fail to see two things—first, the extreme desirableness of such a change as should, if possible, assimilate the laws of the three parts of the United Kingdom; and, on the other hand, the absolute necessity of consulting and considering upon such a subject the feelings and habits of the people in every portion of the kingdom. For his own part, he thought that the law of England on this subject was very satisfactory, and he should be well content to see it adopted throughout the United Kingdom; but to attempt to force it on Scotland or Ireland without regard to the feelings and habits of the people would certainly be impracticable. It would not, therefore, he thought, be advisable on the part of the Government to say more than that they were alive to the importance of the subject and the desirableness of taking such steps as might lead to the attainment of a wise assimilation of the laws of the three countries. The House was aware that a Member well able to deal with such a question—his hon. and learned Friend the Member for Belfast (Sir H. Cairns)—had brought in a Bill having reference to Ireland, and the Government were most anxious to give him all the assistance in their power; but the character of the measure introduced, no doubt after communications with various parties in Ireland, did not excite in him very sanguine hopes that we were extremely near to a complete identity of law in all the three kingdoms. It was necessary to proceed with great caution and care on the subject. All he could say was that the Government were most anxious to undertake the matter; and if they could not see their way to propose a measure themselves, they would certainly be ready to give all the assistance in their power to any Member who should frame and introduce a Bill on the subject.

Mr. LEFROY also hoped the Government would take this important subject into consideration before the House met again; and he begged to suggest, that if a Bill were brought forward at all, the heads of the Church should be consulted as to its provisions; for they had reason to know that the late most rev. Primate of all Ireland felt some objection to the Bill of the hon. and learned Gentleman the Member for Belfast. He hoped Her Majesty's Government would bring in a Bill next Session, and that it would go as much as possible on the principle of regarding marriage in the light of a civil contract.

AFFAIRS OF SERVIA.—OBSERVATIONS.

Mr. DARBY GRIFFITH expressed a hope that the representative of this country at the Conference which was sitting at Constantinople would enter that Conference without any spirit of partisanship. Since the Turkish Government had obtained funds from this country, they had conducted themselves in a much more demonstrative manner, and they had made a new attack upon Montenegro. He could not help regarding it as a great anomaly that the Porte should have fortresses in a country where it did not otherwise possess a single acre of territory.

COMMERCIAL RELATIONS WITH AUSTRIA.—OBSERVATIONS.

Mr. SOMERSET BEAUMONT said, it had come to his knowledge that a Circular had been addressed by the Board of Trade to the different Chambers of Commerce throughout the country, requesting their opinion with reference to a commercial treaty with Austria. The subject to which this circular referred was of more than ordinary interest at the present moment. It had been represented that Austria had notified her wish to join the Zollverein. Directly this was known in England apprehensions were excited, for it was supposed this was a further step in the direction of protection. As the circular stated that Austria was disposed to negotiate a treaty of commerce with the most liberal country in the world, these apprehensions had now been removed, and he hoped the noble Lord would be able to say that there were good grounds for this. The commercial relations between this country and Austria had hitherto been affected by the high protective tariff of Austria. This was manifest from the terms in which they were alluded to by the Secretary of Embassy at Vienna. The hon. Member then read the opinion expressed by Mr. Fane, to the effect that the spirit which animated the commercial legislation of Austria was thoroughly protectionist. Her Majesty's Government had been so successful in negotiating treaties of commerce with different countries during their tenure of office that they had stimulated the attention of the commercial communities in that direction; and he trusted that they would be as successful with Austria in this matter as they had been with Belgium. It was astonishing how limited the trade was between this country and Austria, compared with the trade between France and England; yet there was no reason why our trade might not increase with Austria as it had done with France, to the advantage of both countries, if the protective duties were lowered. There was this advantage attending sound commercial relations between this country and Austria—that whereas if war broke out between us and other European Powers, our commerce with those countries had been interrupted; but as England and Austria never went to war with each other, our commerce with her would always remain uninterrupted. The produce of Austria and Hungary was just such as we required, comprising cattle, grain, wine, tobacco, leather, wool, skins, &c.; while our cotton, cloth, hardware, machinery, and other manufactures might be readily exchanged for them. Of late years Austria had progressed in liberal institutions, and it was to be hoped that her people would adopt free trade and that the commercial intercourse between England and Austria might become more commensurate with the capabilities and resources of the two countries. Our commercial relations with America had been so seriously compromised that the Government could not grant a greater boon to our mercantile communities than by endeavouring to find new markets for their goods. His excuse for bringing that subject forward so late in the Session was, that the circular issued by the Board of Trade had come under his notice only the other day; and so much harm had been done through the delay in discussing the Commercial Treaty with Belgium in that House, that he thought he should have failed in his duty, as the representative of a large commercial constituency, if he had not on the earliest occasion drawn the attention of the Government to this important matter.

PARLIAMENTARY REFORM.

OBSERVATIONS.

MR. COX observed that very early in the Session he had put a Question to the noble Viscount on the subject of Reform in Parliament. The noble Lord gave him an answer which many of his friends did not think quite so courteous, so kind, or so good-humoured as the noble Lord's replies usually were. The Session had been a very quiet one; the House had almost been a "happy family;" and after the noble Lord's answer to his Question the subject of Reform had scarcely been mentioned amongst them. He did, however, wish to refer once more to a matter in which he could assure the noble Lord his constituency and millions of other persons in this country took the deepest interest. He wished to know if during the recess the Government would turn their attention to Parliamentary Reform. He would ask the noble Lord to be good enough to look into the Bill which was introduced by the right hon. Gentleman the Member for Buckinghamshire, and that at the same time he would also read the Resolution which was proposed by Earl Russell, and which affirmed that that Bill would not be satisfactory to the House or to the country unless it went a great deal further. With those two documents in his hand the noble Lord would have no difficulty in coming to a right conclusion.

VISCOUNT PALMERSTON: Sir, I am sure it is unnecessary for me to remind the hon. Member for Finsbury (Mr. Cox) that the subject to which he has adverted is not only one of great importance, but also one beset with great difficulties, as events have shown; and on the last day but one of the Session I do not think it would be advisable for me to express any opinion as to what the Government might or might not think fit to do next Session on such a matter.

With regard to what has fallen from the hon. Member opposite (Mr. D. Griffith), he may be aware that the representatives at Constantinople of the Powers who were parties to the Treaty of 1856 have been authorized to meet in conference upon the question now pending with respect to that part of the Turkish territory to which he referred. I can assure him that the representative of the Queen will be, and has been, instructed to bear in mind, on the one hand the engagements which the six Powers—I may say the seven Powers, including Turkey herself—entered into under the Treaty of 1856—to bear in mind what are the just rights of the Sultan, and also what is due to the welfare of the Sultan's Christian subjects. More than that I cannot say. The Sultan has undoubtedly the right of holding garrisons in certain towns in Servia—Belgrade and others—and, of course, it is open to him, in concert with his allies, to determine whether there are any military posts which, consistently with his interests, he could abandon. I do not, however, think that is at all likely. Such are the instructions that have been given to Her Majesty's representative.

In reply to my hon. Friend behind me (Mr. Beaumont), I do not think it is advisable to state at present what is the condition of any communication passing between Her Majesty's Government and the Government of Austria as to commercial matters. I can assure him that we are exceedingly desirous, if possible, to conclude a better arrangement with Austria upon those subjects. The Austrian Government, as my hon. Friend has well observed, has entered upon a course of policy far more liberal in all respects than that which heretofore it has pursued. The Emperor has given a representative constitution, and I believe in commercial matters, as well as in political, there is a great desire on the part of the Austrian Government to liberalize their system. At the same time habits of protection in favour of native industry—however ill-founded the reasons may be—are very difficult to be eradicated. The other day, when there was a question of the entry of Austria into the Zollverein, there were conditions attached to such entry by Austria which were thought still to be too much based upon the protection principle, and they have prevented Austria from joining the Zollverein at the present moment. Therefore people must not be over sanguine as to any great change in Austrian commercial policy. It is undoubtedly true, as my hon. Friend has stated, that the Austrian empire abounds with natural resources; and if, by a wiser course of policy than has hitherto been adopted, an interchange of commodities with other countries was encouraged, the empire possesses wealth beyond description, with which its people could purchase those articles which other countries produce at a cheaper rate than they themselves can produce them, and a more enlarged commercial system between Austria and this country and other countries would be highly advantageous to all parties, and I by no means despair that the Austrian Government may be led to adopt a course in harmony with those principles.

Viscount Palmerston

Motion *agreed to.*

House at rising to adjourn till *Thursday.*

House adjourned at Eight o'clock, till Thursday.

HOUSE OF LORDS,

Thursday, August 7, 1862.

MINUTES.]—*Royal Assent.*—Consolidated Fund (Appropriation); Fortifications (Provision for Expenses); Excise Duties; Poor Relief (Ireland); Turnpike Acts Continuance; Copyhold, &c. Commission; Public Offices Extension; Savings Banks (Ireland); Weights and Measures (Ireland) Act (1860) Amendment; Militia Ballots Suspension; Divorce Court; Lunacy Regulation; Coal Mines; Industrial and Provident Societies; Merchandise Marks; Council of Medical Education; Companies, &c.; Elections (Ireland); The Queen's Prison Discontinuance (1862); Recovery of Poor Rates, &c.; Moveable Property (Scotland); Parochial Assessments; Thames Embankment; Metropolis Local Management Acts Amendment; County Surveyors (Ireland); Highland Roads and Bridges; Confirmation of Sales, &c.; Juries; Police and Improvement (Scotland); Inclosure (No. 2); Polling Places (New Shoreham, &c.); Militia Pay; African Slave Trade Treaty (No. 2); Salmon Fisheries (Scotland); Gunpowder Act Amendment; Court of Common Pleas (Officer for Acknowledgement of Deeds); Bankruptcy Act (1861) Amendment; Burial Boards (Mortgage of Rates); Night Poaching Prevention; Charity Commissioners' Jurisdiction; Poor Removal; Lunatics Law Amendment; Union Relief Aid; Corrupt Practices Prevention Act Continuance.

MR. FARNALL, POOR LAW INSPECTOR. OBSERVATIONS.

EARL FORTESCUE: My Lords, I do not intend to follow the example set me in another place, but shall rely on my personal character as a sufficient refutation of the attack which was made upon me there.

PROROGATION OF THE PARLIAMENT. SPEECH OF THE LORDS COMMISSIONERS.

THE PARLIAMENT was this day prorogued by Commission.

The LORDS COMMISSIONERS—namely, The LORD CHANCELLOR (Lord Westbury); The LORD STEWARD OF THE HOUSEHOLD (The Earl of St. Germans); The EARL RUSSELL (one of the Principal Secretaries of State); and The LORD KINGSDOWN—being in their robes, and seated on a Form placed between the Throne and the Woolsack; and the COMMONS being come with their Speaker, the ROYAL ASSENT was given to several Bills.

Then THE LORD CHANCELLOR *delivered* the Speech of the LORDS COMMISSIONERS as follows:—

"*My Lords, and Gentlemen,*

"WE are commanded by Her Majesty to release you from further Attendance in Parliament, and at the same Time to convey to you Her Majesty's Acknowledgments for the Zeal and Assiduity with which you have applied yourselves to the Performance of your Duties during the Session now brought to a Close.

"HER Majesty commands us to inform you that Her Relations with Foreign Powers are friendly and satisfactory, and that Her Majesty trusts there is no Danger of any Disturbance of the Peace of *Europe.*

"THE Civil War which has for some Time been raging among the States of the *North American* Union has, unfortunately, continued in unabated Intensity; and the Evils with which it has been attended have not been confined to the *American* Continent; but Her Majesty, having from the Outset determined to take no Part in that Contest, has seen no Reason to depart from the Neutrality to which She has steadily adhered.

"DISTURBANCES have taken place in some of the Frontier Provinces of the *Turkish* Empire, and her Majesty has instructed Her Ambassador at *Constantinople* to attend a Conference to be held in that City by the Representatives of the Powers who were Parties to the Treaty of *Paris* of 1856. Her Majesty trusts that the Questions to be dealt with in that Conference will be settled in a Manner consistent with the Treaty Engagements of the Allies, and in accordance with the just Rights of The Sultan, and the Welfare of the Christian Inhabitants of his Dominions.

"HER Majesty's Forces in *China,* together with those of The Emperor of the *French,* have lately been employed in co-operation with those of The Emperor of *China,* in protecting some of the chief Seats of *British* Commerce in *China* from Injury by the Civil War which is laying waste Portions of that vast Empire.

"HER Majesty commands us to inform you that She has concluded a Commercial Treaty with The King of the *Belgians,* by which the Trade of Her Majesty's Subjects in *Belgium* will be placed, generally, on the Footing of the most favoured Nation.

"*Gentlemen of the House of Commons,*

"HER Majesty commands us to convey to you Her warm Acknowledgments for the liberal Supplies which you have granted for the Service of the present Year; and Her Majesty thanks you for having also made Provision towards placing Her Majesty's Dockyards and Arsenals in a permanent State of Defence.

"*My Lords, and Gentlemen,*

"HER Majesty commands us to express to you the Admiration with which She has witnessed the undiminished Zeal and the patriotic Spirit which continue to animate Her Volunteer Forces, as well as the Military Efficiency which they have attained.

"HER Majesty has observed with Satisfaction the kindly Intercourse which has subsisted between Her Majesty's Subjects and the numerous Foreigners who have been attracted this Year to the United Kingdom, and

Her Majesty trusts that the Interchange of mutual Courtesies will strengthen the Foundations of International Friendship and Goodwill.

"Her Majesty has given Her ready Assent to an Act for carrying into effect the Treaty which Her Majesty has concluded with The President of the *United States* for the Suppression of the Slave Trade, and Her Majesty trusts that the Co-operation of the *United States* Navy with Her own may go far to extinguish the desolating Crime against which that Treaty is directed.

"Her Majesty earnestly hopes that the Steps which have been taken for rendering more effectual the Aid provided by Parliament for the Extension of Education among the poorer Classes of Her Subjects will tend to promote an Object of great national Importance.

"Her Majesty has given Her willing Assent to many Measures of public Utility which you have submitted to Her during this Session.

"The severe Distress which prevails in some of the Manufacturing Districts has inspired Her Majesty with deep Concern and warm Sympathy, mingled with Admiration of the manly Bearing and exemplary Fortitude with which the Pressure has been endured. Her Majesty trusts that the Act for enabling Boards of Guardians to provide additional Means of Relief will mitigate that Distress.

"The Act for rendering more easy the Transfer of Land will add to the Value of real Property, will make Titles more simple and secure, and will diminish the Expense attending Purchases and Sales.

"The Act for the better Regulation of Parochial Assessments will tend to a more equal Distribution of local Taxation; while the Act for the better Administration of the Highways will, Her Majesty trusts, improve the Means of Communication in many Parts of the Country.

"The Act for establishing Uniformity of Weights and Measures in *Ireland* will apply a Remedy to Inconveniences which have been much felt and complained of, as affecting the Trading Transactions in that Part of the United Kingdom; and the Act for amending the Law relating to the Poor will extend to the poorer Classes of Her Majesty's Subjects in *Ireland* better Means of obtaining Relief and Medical Attendance.

"The Act for the better Regulation of Merchant Shipping, Her Majesty trusts, will prove advantageous to the Maritime Commerce of the Country.

"In returning to your several Counties, you will still have important Duties to perform; and Her Majesty fervently prays that the Blessing of Almighty God may assist your Efforts, and may direct them to the Attainment of the Object of Her Majesty's constant Solicitude, the Welfare and Happiness of Her People."

Then a Commission for proroguing the Parliament was read.

After which

The LORD CHANCELLOR said;

My Lords, and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to

Her Commands, prorogue this Parliament to *Friday* the *Twenty-fourth* Day of *October* next, to be then here holden; and this Parliament is accordingly prorogued to *Friday,* the *Twenty-fourth* Day of *October* next.

HOUSE OF COMMONS,

Thursday, August 7, 1862.

MINUTES.] — PUBLIC BILL. — 1° Church Rates Commutation (No. 2).

THE BISHOP OF OXFORD AND THE ACT OF UNIFORMITY.—QUESTION.

MR. HENRY SEYMOUR said, he rose to ask the Secretary of State for the Home Department, Whether, having respect to the Act of Uniformity, 13 & 14 *Charles* II., clergymen in the Diocese of Oxford are bound to obey the Injunction of the Bishop of Oxford, which directs them to read the following notice at the conclusion of the Nicene Creed:—

> "You are earnestly desired to make your humble supplications to Almighty God, who is the Author of Peace and Lover of Concord, that He will promote peace among our brethren in America, and inspire their hearts with Christian unity and fellowship."

And also to make "two short pauses," one in the course of the Litany, and the other in the course of the prayer for all sorts and conditions of men.

THE ATTORNEY GENERAL said, in the absence of the Home Secretary, he wished to state that the Act of Uniformity contained two main provisions, one of which prescribed the use of the Book of Common Prayer, and the other forbade the use of any form or order of Common Prayer other than what was prescribed. The question of the hon. Gentleman divided itself into two parts—first, whether in the Injunction that had been issued by the Bishop of Oxford there was any violation of the Act of Uniformity; and, secondly, whether, supposing such violation not to have been committed, the Bishop, as a matter of general episcopal jurisdiction, had the power of enforcing upon his Clergy the performance of the order which was contained in the Injunction. The matter especially concerned the Bishop on the one hand and his Clergy on the other, and by no means concerned the Government. The Bishop of Oxford had shown by the letter he had sent to his Archdeacons the view which he took on both matters. He had taken upon himself the responsibility of issuing the Injunction, and it was to be presumed that he had not done so unadvisedly. Under these circumstances, speaking for the Home Secretary, he thought it would be the more convenient course, and one most likely to lead to a decision of the question, to leave the Clergy to adopt on their own responsibility, whatever measures might be necessary to obtain a decision on the two points in question. If they required professional assistance, they would readily obtain it in the usual way, and on the usual terms.

ADVERTISEMENTS UPON OMNIBUSES. QUESTION.

SIR GEORGE BOWYER said, in the absence of his hon. and gallant Friend (Colonel Dunne), he wished to ask the Secretary of State for the Home Department, If the Police Commissioner has any Instructions to permit Omnibuses which have been converted into Advertising Vans to continue to carry passengers, contrary to Mr. Fitzroy's Act for the prohibition of Advertising Vans?

MR. CLIVE said, in the absence of his right hon. Friend the Home Secretary, the reply he had to give was, that the Act gave power to the police to interfere with a view to secure light and ventilation in Omnibuses, and that power had been exercised in several instances by summons and conviction; but the police had no power to prohibit the display of Advertisements on those public conveyances. To prevent their being used for the purpose of advertising. fresh legislation would be required; but that legislation might be much opposed, as large incomes were derived from this source by Omnibus Companies. He understood that one Company derived as much as £1,500 a year from that source.

UNITED STATES—FEDERAL CRUISERS OFF NASSAU.—OBSERVATIONS.

MR. SEYMOUR FITZGERALD said, he wished to direct the attention of the noble Lord at the head of the Government to the proceedings of the United States cruisers in the immediate neighbourhood of Nassau. On a former occasion it had been stated in that House that the United States squadron were actively engaged in enforcing the blockade on a portion of the coast of the United States; but it appeared that their cruisers had since been withdrawn from that service, and were now employed in blockading British ports. There could be no doubt, indeed, that the United States authorities had pressed, and were pressing to the utmost, without moderation or discretion, the rights which they might possess as belligerents, and he hoped the noble Lord would give the House an assurance that this matter would not escape the notice of the Government; but that, on the contrary, the most vigorous and earnest remonstrances would be made to the United States Government on the subject. He might also take that opportunity of referring to certain proceedings which had been adopted by the United States authorities with respect to British goods at New York. Hitherto it had been the practice to send British goods to New York in steamers, and afterwards to forward them in American bottoms to Nassau. It now appeared that the United States Government would not permit these goods to be exported from New York to Nassau unless the owners entered into a bond that the future owners of the goods at Nassau should not ship them either to the Confederate States or to any port in communication with them. He hoped the noble Lord would also give the House an assurance that this matter would be made the subject of a vigorous remonstrance to the United States Government.

Viscount **PALMERSTON**: With regard to the first Question of the hon. Gentleman, the House must be aware that there is no nation more interested than the British nation in maintaining to the utmost extent belligerent rights at sea. It is an undoubted right of a belligerent to search vessels met with at sea; and if there is a reasonable ground to suppose that they are carrying contraband of war to an enemy to take them into court for adjudication. When a ship is so brought for adjudication before a competent tribunal, it is the right of the owners to urge in defence such circumstances as may show that the vessel should not be condemned. Her Majesty's Government are, of course, not disposed to interfere with the proper exercise of their belligerent rights on the part of the United States. The remedy in the first instance is to be sought in the Court of Admiralty, in the country to which the vessel is taken; but, at the same time, if any abusive exercise of those rights can be shown to have taken place, Her Majesty's Government will take steps

to make a proper representation on the subject. As to the second Question, it is quite true that bonds have been required from the owners of British property at New York, intended to be sent to Nassau, that those goods shall not be sent thence to a particular destination; but we are advised that the United States Government have no right to exact such bonds. It is an abusive power, and Her Majesty's Government have already made representations to the Government of the United States on the subject.

PATRIOTIC FUND ASYLUM.

OBSERVATIONS.

Sir **GEORGE LEWIS** said, that on Monday night the noble Lord the Member for Tamworth (Viscount Raynham) put a Question to him in reference to the punishment inflicted upon a girl in a school under the management of the Committee of the Patriotic Fund. He was not in any way officially responsible for the management of that school, and the information he had received from the Secretary had led him to think that the Ladies' Committee was in existence at the time when this punishment was inflicted; but, from information he had received since, he found that the Ladies' Committee was not in existence in January last.

THE ARMSTRONG GUNS.—QUESTION.

Mr. **BERNAL OSBORNE** wished to put a Question to the Secretary for War. Certain experiments had recently been made at Shorncliffe with a light 12-pounder rifled gun, and especially as to the effect of rapid firing. He believed that a Commission of officers had been appointed to report upon the condition of those 12-pounder guns after that rapid firing; and he wished to ask, first, Whether those officers had made their Report? and next, whether it was true that a large proportion of those guns were altogether unserviceable, being greatly damaged by the shifting of the external coils, the splitting of the internal coils, the chipping of the screws, and the breaking of the vent pieces?

Sir **GEORGE LEWIS** said, although he had notice of the intention of his hon. Friend to ask a Question, he had not been made aware of the particular Report to which he intended to refer. He had received a Report from Colonel Cuppage of the results of certain experiments with the Armstrong 12-pounder gun, which had lately taken place at Shorncliffe; but those experiments were of three kinds. Some of the firing was at 1,000 yards, against sea targets to try the effect of the guns on an enemy landing from boats. Other experiments were at various ranges, in order to test some assumed defects in resisting cavalry; and, lastly, experiments to test the effects of rapid firing. He believed the Report upon all the three classes of experiments was, that they were eminently successful.

MR. BERNAL OSBORNE: But as to the present condition of the guns?

SIR GEORGE LEWIS: The Report relates to the success of all the experiments.

MR. BERNAL OSBORNE gave notice that next Session he would call the attention of the House to the present condition of the War Office, in regard to the management of rifled ordnance, and to the position of Sir William Armstrong as Director of Rifled Ordnance.

In reply to Sir DE LACY EVANS,

SIR GEORGE LEWIS said, that it was impossible to lay any Report upon the table during the present Session; but the hon. and gallant Member could revive the subject in the next Session.

PROROGATION OF THE PARLIAMENT.

Message to attend the LORDS COMMISSIONERS.

The House went, and the ROYAL ASSENT was given to several Bills: And afterwards a Speech of the LORDS COMMISSIONERS was delivered to both Houses of Parliament by the LORD CHANCELLOR.

Then a Commission for proroguing the Parliament was read.

After which

THE LORD CHANCELLOR said:

My Lords and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to *Friday* the *Twenty-fourth* Day of *October* next, to be then here holden; and this Parliament is accordingly prorogued to *Friday*, the *Twenty-fourth* Day of *October* next.

[TABLE OF STATUTES.

A

TABLE OF ALL THE STATUTES

PASSED IN THE FOURTH SESSION OF

THE EIGHTEENTH PARLIAMENT OF THE UNITED KINGDOM

OF GREAT BRITAIN AND IRELAND.

25° & 26° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to apply the Sum of Nine hundred and seventy-three thousand seven hundred and forty-seven Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty-two.

II. An Act to apply the Sum of Eighteen Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two.

III. An Act to amend an Act, intituled *An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund;* and to repeal all Provisions by which Authority is given to the Commissioners of Her Majesty's Treasury to fund Exchequer Bills.

IV. An Act to enable Her Majesty to issue Commissions to the Officers of Her Majesty's Land Forces and Royal Marines, and to Adjutants and Quartermasters of Her Militia and Volunteer Forces, without affixing Her Royal Sign Manual thereto.

V. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

VI. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

VII. An Act to provide for the Registration and Transfer of *India* Stocks at the Bank of *Ireland,* and for the mutual Transfer of such Stocks from and to the Banks of *England* and *Ireland* respectively.

VIII. An Act to prevent the Employment of Women and Children during the Night in certain Operations connected with Bleaching by the open-air Process.

IX. An Act to enable the Trustees of Sir *John Soane's* Museum to send Works of Art to the International Exhibition, 1862.

X. An Act for continuing for a further limited Time, and for extending the Operation of Orders made under, "The Industrial Schools Act, 1861," and "The Industrial Schools (*Scotland*) Act, 1861."

XI. An Act to explain an Act, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies.*

XII. An Act for the Protection of Inventions and Designs exhibited at the International Exhibition of Industry and Art for the Year One thousand eight hundred and sixty-two.

XIII. An Act for raising the Sum of One million Pounds by Exchequer Bonds for the Service of the Year One thousand eight hundred and sixty-two.

XIV. An Act to extend to the *Isle of Man* the Provisions of the Act Eighteenth and Nineteenth *Victoria,* Chapter Ninety, as to the Payment of Costs to and by the Crown.

XV. An Act to define the Powers of the President and Fellows of the King and Queen's College of Physicians in *Ireland* with respect to the Election of its Fellows.

XVI. An Act for extinguishing certain Rights of Way through the *Netley Hospital* Estate in the Parish of *Hound* in the County of *Southampton.*

XVII. An Act to extend the Time for making Enrolments under the Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses,* and to explain and amend the said Act.

XVIII. An Act to amend the Law as to the whipping of Juvenile and other Offenders.

XIX. An Act to amend The General Pier and Harbour Act, 1861.

XX. An Act respecting the Issue of Writs of Habeas Corpus out of *England* into Her Majesty's Possessions Abroad.

XXI. An Act to amend the Law relating to the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*.

XXII. An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to grant, alter, and repeal certain other Duties.

XXIII. An Act to amend "The Summary Procedure on Bills of Exchange (*Ireland*) Act (1861)."

XXIV. An Act to continue The Peace Preservation (*Ireland*) Act, 1856, as amended by the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter One Hundred and thirty-eight.

XXV. An Act to confirm certain Provisional Orders under the Local Government Act, 1858, relating to the Districts of *Hanley*, *Stroud*, *Ilfracombe*, *Longton*, *Halifax*, *Ipswich*, and *Sandown*.

XXVI. An Act to extend the Power of making Statutes possessed by the University of *Oxford*, and to make further Provision for the Administration of Justice in the Court of the Chancellor of the said University.

XXVII. An Act to authorize Payments for a further Period out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature of Her Majesty's *British* Forces serving in *India*.

XXVIII. An Act to alter and amend the Universities (*Scotland*) Act in so far as relates to the Bequest of the late Doctor *Alexander Murray* in the University of *Aberdeen*.

XXIX. An Act to amend and enlarge the Acts for the Improvement of Landed Property in *Ireland*.

XXX. An Act to amend an Act of the last Session for authorizing Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours, and for other Purposes.

XXXI. An Act to apply the sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-two.

XXXII. An Act to continue the Act of the Second and Third Years of *Victoria*, Chapter Seventy-four, for preventing the administering of unlawful Oaths in *Ireland*, as amended by an Act of the Eleventh and Twelfth Years of *Victoria*.

XXXIII. An Act for vesting in Her Majesty's Principal Secretary of State for the War Department the Lands of the Royal Military College at *Sandhurst*, and for completing certain Exchanges of Lands now or late of the said College.

XXXIV. An Act for the discontinuance of *Portsdown* Fair in the County of *Southampton*.

XXXV. An Act to amend the Acts for the Regulation of Public Houses in *Scotland*.

XXXVI. An Act to appropriate certain Portions of Land lying between High and Low Water Mark, situate in the Parishes of *Shoebury* and *Wakering* in the County of *Essex*, as Ranges for the Use and Practice of Artillery.

XXXVII. An Act to remove Doubts concerning, and to amend the Law relating to, the private Estates of Her Majesty, Her Heirs, and Successors.

XXXVIII. An Act to amend the Laws relating to the Sale of Spirits.

XXXIX. An Act for enabling the Commissioners of Her Majesty's Treasury to make Arrangements with the *Red Sea* and *India* Telegraph Company.

XL. An Act to carry into effect the Treaty between Her Majesty and the United States of *America* for the Suppression of the *African* Slave Trade.

XLI. An Act for amending "The Rifle Volunteer Grounds Act, 1860."

XLII. An Act to regulate the Procedure in the High Court of Chancery and the Court of Chancery of the County Palatine of *Lancaster*.

XLIII. An Act to provide for the Education and Maintenance of Pauper Children in certain Schools and Institutions.

XLIV. An Act to amend the Law relating to the giving of Aid to discharged Prisoners.

XLV. An Act to amend "The *West Indian* Incumbered Estates Acts, 1854 and 1858."

XLVI. An Act for the better Regulation in certain Cases of the Procedure in the High Court of Chancery in *Ireland*.

XLVII. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

XLVIII. An Act respecting the Establishment and Government of Provinces in *New Zealand*, and to enable the Legislature of *New Zealand* to repeal the Seventy-third Section of an Act, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand.

XLIX. An Act to authorize the Completion, after His Royal Highness *Albert Edward* Prince of *Wales* shall attain the Age of Twenty-one Years, of Arrangements commenced during his Minority, under the Provisions of an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to enable the Council of His Royal Highness* Albert Edward *Prince of* Wales *to sell and exchange Lands and enfranchise Copyholds Parcel of the Possessions of the Duchy of* Cornwall, *to purchase other Lands; and for other Purposes.*

L. An Act to amend certain Provisions of the Acts of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapters Ninety-six, Ninety-seven, Ninety-nine, and One hundred, respectively, relating to Summary Jurisdiction in *Ireland*.

LI. An Act for confirming, with Amendments, certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, relating to *Carrickfergus*, *Deal*, *Oban*, *Saint Ives*, *Tobermory*, and *Hastings*.

LII. An Act to amend an Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices.

LIII. An Act to facilitate the Proof of Title to, and the Conveyance of, Real Estates.

LIV. An Act to make further Provision respecting Lunacy in *Scotland*.

LV. An Act for the Settlement of a Loan due from the Island of *Jamaica* to the Imperial Government.

LVI. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

LVII. An Act to authorize the Sale of Her Majesty's Bakehouse in *Peascod Street, Windsor*, and the Application of the Proceeds in the Purchase of Land or Buildings to be held with *Windsor Castle*.

LVIII. An Act to make further Provision with respect to the raising of Money for erecting and improving Parochial Buildings in *Scotland*.

LIX. An Act to render Owners of Dogs in *Ireland* liable for Injuries to Sheep.

LX. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

LXI. An Act for the better Management of Highways in *England*.

LXII. An Act to amend the Law relating to the Duration of Contested Elections for Counties in *Ireland*, and for establishing Additional Places for taking the Poll thereat.

LXIII. An Act to amend "The Merchant Shipping Act, 1854," "The Merchant Shipping Act Amendment Act, 1855," and "The Customs Consolidation Act, 1853."

LXIV. An Act for the better Protection of Her Majesty's Naval and Victualling Stores.

LXV. An Act for the more speedy Trial of certain Homicides committed by Persons subject to the Mutiny Act.

LXVI. An Act for the Safe-keeping of Petroleum.

LXVII. An Act for obtaining a Declaration of Title.

LXVIII. An Act for amending the Law relating to Copyright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works.

LXIX. An Act for transferring from the Admiralty to the Board of Trade certain Powers and Duties relative to Harbours and Navigation under Local and other Acts; and for other Purposes.

LXX. An Act for giving effect to a Convention between Her Majesty and the King of *Denmark* for the mutual Surrender of Criminals.

LXXI. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-two, and to appropriate the Supplies granted in this Session of Parliament.

LXXII. An Act to continue certain Turnpike Acts in *Great Britain*.

LXXIII. An Act for continuing the Copyhold, Inclosure, and Tithe Commission, and entitling the Commissioners to Superannuation Allowance.

LXXIV. An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the "Public Offices Extension Act of 1859," by way of Exchange for Land already acquired but not wanted for the Purposes of the said Act.

LXXV. An Act to revive and continue an Act for amending the Laws relating to Savings Banks in *Ireland*.

LXXVI. An Act to amend "The Weights and Measures (*Ireland*) Act, 1860;" to abolish local and customary Denominations of Weight, and to regulate the Mode of Weighing Articles sold in *Ireland*.

LXXVII. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom.

LXXVIII. An Act for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of Creating a Central Arsenal.

LXXIX. An Act to amend the Law relating to Coal Mines.

LXXX. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers.

LXXXI. An Act to make perpetual *An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes.*

LXXXII. An Act for the more economical Recovery of Poor Rates and other Local Rates and Taxes.

LXXXIII. An Act to amend the Laws in force for the Relief of the destitute Poor in *Ireland*, and to continue the Powers of the Commissioners.

LXXXIV. An Act to continue the Duties of Excise on Sugar made in the United Kingdom, and to amend the Laws relating to the Duties of Excise.

LXXXV. An Act to facilitate the Transmission of Moveable Property in *Scotland*.

LXXXVI. An Act to amend the Law relating to Commissions of Lunacy and the Proceedings under the same, and to provide more effectually for the visiting of Lunatics, and for other Purposes.

LXXXVII. An Act to consolidate and amend the Laws relating to Industrial and Provident Societies.

LXXXVIII. An Act to amend the Law relating to the fraudulent marking of Merchandise.

LXXXIX. An Act for the Incorporation, Regulation, and Winding-up of Trading Companies and other Associations.

XC. An Act for rectifying a clerical Error in the Act of the present Session, Chapter Forty, with respect to the *African* Slave Trade Treaty.

XCI. An Act to incorporate the General Council of Medical Education and Registration of the United Kingdom, and for other Purposes.

XCII. An Act to limit the Time for proceeding to Elections in Counties and Boroughs in *Ireland*.

XCIII. An Act for embanking the North Side of the River *Thames* from *Westminster Bridge* to

Blackfriars Bridge, and for making new Streets in and near thereto.

XCIV. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners.

XCV. An Act to amend the Law relating to Polling Places in the Boroughs of *New Shoreham, Cricklade, Aylesbury,* and *East Retford.*

XCVI. An Act to render tenable during good Behaviour the Office of the Officer of the Court of Common Pleas by whom the Certificates of Acknowledgment of Deeds of married Women are filed of Record.

XCVII. An Act to regulate and amend the Law respecting the Salmon Fisheries of *Scotland.*

XCVIII. An Act for the Amendment of an Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an Explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks,* and of an Act amending the last-mentioned Act.

XCIX. An Act to amend the Bankruptcy Act (1861).

C. An Act to authorize Improvement Commissioners acting as Burial Boards to mortgage certain Rates for the Purposes of the Burial Acts.

CI. An Act to make more effectual Provision for regulating the Police of Towns and populous Places in *Scotland,* and for lighting, cleansing, paving, draining, supplying Water to and improving the same, and also for promoting the Public Health thereof.

CII. An Act to amend the Metropolis Local Management Acts.

CIII. An Act to amend the Law relating to Parochial Assessments in *England.*

CIV. An Act for the Discontinuance of the Queen's Prison, and Removal of the Prisoners to *Whitecross Street* Prison.

CV. An Act to transfer the Roads and Bridges under the Management of the Commissioners of Highland Roads and Bridges to the several Counties in which the same are situate, and to provide for other Matters relating thereto.

CVI. An Act to amend the Law relating to the Appointment of County Surveyors in *Ireland.*

CVII. An Act to give greater Facilities for summoning Persons to serve on Juries, and for other Purposes relating thereto.

CVIII. An Act to confirm certain Sales, Exchanges, Partitions, and Enfranchisements by Trustees and others.

CIX. An Act to continue the Corrupt Practices Prevention Act (1854).

CX. An Act to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein.

CXI. An Act to amend the Law relating to Lunatics.

CXII. An Act for establishing the Jurisdiction of the Charity Commissioners in certain Cases.

CXIII. An Act to amend the Law relating to the Removal of poor Persons from *England* to *Scotland,* and from *Scotland* to *England* and *Ireland.*

CXIV. An Act for the Prevention of Poaching.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act for enabling the *Great Northern* Railway Company to acquire additional Land near *Doncaster*, and extending the Time for the Sale of their superfluous Lands.

ii. An Act to enable the *Woolwich, Plumstead, and Charlton* Consumers Gas Company to raise a further Sum of Money.

iii. An Act to amend "The *Norwich* Corporation Markets Act, 1860," and to authorize the Purchase of additional Lands; and for other Purposes.

iv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Ross* Turnpike Roads; and for other Purposes.

v. An Act to grant further Powers to the *Wycombe* Railway Company.

vi. An Act for extending the Term and amending the Provisions of the Acts relating to the *Folkestone* to *Barham Downs* Turnpike Road, in the County of *Kent*.

vii. An Act to authorize the *London and Blackwall* Railway Company to construct additional Works and take additional Lands for enlarging their Railway, and to confer further Powers upon the Company with reference to the raising of Capital; and for other Purposes.

viii. An Act to incorporate the Proprietors of Shares in the Undertaking called the *London, Tilbury, and Southend Extension* Railway, and to vest such Undertaking in the Company so incorporated; and for other Purposes.

ix. An Act to repeal the Act relating to the *Wareham* Turnpike Roads, and to make other Provisions in lieu thereof; and for other Purposes.

x. An Act to enable the *Faringdon* Railway Company to create Preference Shares; and for other Purposes.

xi. An Act for making better Provision for the Relief of the Poor of the Parishes of *Saint Michael* and the *Holy Trinity, Coventry*.

xii. An Act for the *Winchester* Road in the County of *Southampton*.

xiii. An Act to create a further Term in the *Cirencester* District of Turnpike Roads; to repeal, amend, and extend the Powers of the Act relating to the said Roads; and for other Purposes.

xiv. An Act to authorize the *Much Wenlock and Severn Junction* Railway Company to raise further Sums of Money, and to subscribe an additional Sum to the *Wenlock* Railway; and for other Purposes.

xv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Second District of the *Bridport* Turnpike Roads in the County of *Dorset*, and to make other Provisions in lieu thereof.

xvi. An Act to amend some of the Provisions of the Deed of Settlement of "The *British* Plate Glass Company," and to confirm a Lease granted by, and to confer further Powers upon that Company.

xvii. An Act for rendering valid certain Letters Patent granted to *Thomas Webb*, of *Tutbury* in the County of *Derby*, Cotton Spinner, and *James Craig*, of the same Place, Manager.

xviii. An Act for the better supplying of the Borough of *Bradford* and Places near thereto with Water, and for authorizing the Mayor, Aldermen, and Burgesses of the Borough of *Bradford*, in order thereto, to raise further Monies; and for other Purposes.

xix. An Act to incorporate the *Heckmondwike* Gas Company, with Powers to manufacture and supply Gas within the Townships of *Heckmondwike* and *Liversedge* in the parish of *Birstal* in the West Riding of the County of *York*; and for other Purposes.

xx. An Act for transferring from the Grand Jury of the County of *Cork* to the Commissioners of *Queenstown* the Management of the Roads and Bridges in the said Town, and for improving the said Town.

xxi. An Act to authorize the *Bristol and Exeter* Railway Company to subscribe a further Sum of Money to the *Chard and Taunton* Railway; and for other Purposes.

xxii. An Act for authorizing the *East London* Waterworks Company to raise further Monies, and for regulating their Capital and Borrowing Powers; and for other Purposes.

xxiii. An Act to enable the *Limerick* Market Trustees to borrow further Sums; and to amend "The *Limerick* Markets Act, 1852."

xxiv. An act to enable Her Majesty's Paymaster General to repay to the *North Devon* Railway and Dock Company a Sum of Three thousand Pounds.

xxv. An Act for extending the Improvement of the District of *Rathmines* so as to include therein *Rathgar* and *Sallymount*, all in the County of *Dublin*.

xxvi. An Act to enable the Local Board of the District of *Tranmere* in the County of *Chester* to make new Roads and Sewers; and for other Purposes.

xxvii. An Act for the building of a new Market House in the Borough of *South Molton*; for the regulating of Markets and Fairs in the Borough; for the Improvement in other respects of the Borough; and for other Purposes.

xxviii. An Act to enable "The *Leeds* New Gas Company" to raise additional Capital, to extend their Limits for supplying Gas, and for other Purposes.

xxix. An Act for making a Pier and Harbour at *Brean Down* on the *Bristol Channel*, and for other Purposes.

xxx. An Act to repeal and consolidate the Acts relating to the *Bristol* Waterworks Company; to empower the Company to make fresh Works; and for other Purposes.

xxxi. An Act for the Preservation and Improvement of the Pier and Harbour of *Berwick-upon-Tweed.*

xxxii. An Act for enabling the Local Board of Health for the District of the Township of *Barnsley* in the West Riding of the County of *York* to construct and maintain an improved System of Waterworks to supply the District and other Places with Water, and to abandon and sell their existing Waterworks; to confer Powers on Park Keepers and Constables; to amend the Acts relating to the District; and for other Purposes.

xxxiii. An Act for granting further Powers for better supplying with Water the Town of *Falmouth,* and certain Places adjacent or near thereto.

xxxiv. An Act to authorize the *Tendring Hundred* Railway Company to extend their Railway in *Colchester.*

xxxv. An Act to authorize the *Dundee and Perth and Aberdeen* Railway Junction Company to raise further Money for the Purposes of their Undertaking and of the *Dundee and Newtyle* Railway; and to amend their Acts.

xxxvi. An Act to enable the *Uxbridge and Rickmansworth* Railway Company to make a Deviation of their authorized Line of Railway; and for other Purposes.

xxxvii. An Act for the Improvement and Lighting of a Portion of the Township of *Bollington* in the Parish of *Prestbury* in the County Palatine of *Chester.*

xxxviii. An Act to extend and define the Powers of the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin* in respect to the extinguishing of Fires, and the Protection of Life and Property against Fire; and for other Purposes.

xxxix. An Act to enable the *Dublin and Meath* Railway Company to raise additional Capital; and for other Purposes.

xl. An Act to authorize a Deviation of Part of the authorized Line of the *Frosterley and Stanhope* Railway, to construct a new Branch and other Works, to abandon Portions of authorized Line and Approach to *Stanhope,* to raise additional Capital, amend and repeal Acts; and for other Purposes.

xli. An Act for the further Improvement of the Borough of *Halifax,* and for other Purposes.

xlii. An Act for authorizing the *London and South-western* Railway Company to make and maintain additional Works, and for authorizing the Transfer to them of the *Wimbledon and Dorking* Railway, and for making Arrangements respecting their Capital; and for other Purposes.

xliii. An Act to enable the *Dundee* Water Company to raise further Money, and to execute additional Works.

xliv. An Act for authorizing the Company of Proprietors of the *Kent* Waterworks to raise further Monies; and for regulating their Capital and Borrowing Powers.

xlv. An Act to enable the *Carlisle and Silloth Bay* Railway and Dock Company to raise additional Capital by Preference Shares and otherwise, and for other Purposes.

xlvi. An Act to authorize the Construction of a Railway in the County of *Middlesex,* from the *Great Northern* Railway, through *Highgate, Finchley,* and *Hendon,* to *Edgware.*

xlvii. An Act to authorize a Lease of the Undertaking of the *Carlisle and Silloth Bay* Railway and Dock Company to the *North British* Railway Company; and for other Purposes.

xlviii. An Act to authorize a Lease of the Undertaking of the *Port Carlisle* Dock and Railway Company to the *North British* Railway Company; and for other Purposes.

xlix. An Act to authorize the *North British* Railway Company to make certain Railways from their Main Line in the Parish of *Inveresk* to the Farm Steading of *Smeaton,* and thence to near *Macmerry* and to their *Hawick* Line at *Hardengreen;* and for other Purposes.

l. An Act for incorporating the Members of the Institution known as "The Asylum for the Education of the Deaf and Dumb Children of the Poor," and for enabling them the better to carry on their charitable Designs."

li. An Act for making a Railway from the *Peebles* Railway at the *Leadburn* Station to the Parish of *Linton* in the County of *Peebles.*

lii. An Act for a further Supply of Water to the Town and Neighbourhood of *Leeds* from the river *Wharfe,* and for other Purposes.

liii. An Act to consolidate and amend the Acts relating to the Maintenance and Repair of the Roads, Streets, and Bridges within the District of the City of *Edinburgh,* and the Assessments payable in respect thereof; and for other Purposes.

liv. An Act for authorizing the *Stockton and Darlington* Railway Company to make and maintain new Lines of Railway and other Works in the County of *Durham;* and for other Purposes.

lv. An Act to authorize the making of a Railway from *Daventry* in the County of *Northampton,* to the *London and North-western* Railway near *Weedon* in the same County, and for other Purposes.

lvi. An Act to confer upon the *Tewkesbury and Malvern* Railway Company further Powers for the Completion of their Railway; and for other Purposes.

lvii. An Act to authorize the Relinquishment of the Street and Railway authorized by "The *London* Railway Depôt and Storehouses Act, 1860," and for other Purposes.

lviii. An Act to authorize the *Metropolitan* Railway Company to acquire certain additional Lands and execute further Works for the Purposes of their Undertaking; to confer further Powers upon the Company with reference to the raising of Capital; to authorize further Agreements with other Companies; and for other Purposes.

lix. An Act to repeal the Act relating to the *New Chappel, Lindfield, and Brighton,* and *Ditcheling and Clayton* Roads, and to make other Provisions in lieu thereof.

lx. An Act to enable the *Denbigh, Ruthin, and Corwen* Railway Company to create Preference Capital.

lxi. An Act for the making and maintaining of a Bridge over the River *Wyre* (to be called "*Shard Bridge*"), with Roads thereto, and for other Purposes.

lxii. An Act for granting further Powers to the *Great North of Scotland* Railway Company.

lxiii. An Act to amend the *Bradford, Wakefield, and Leeds* Railway Act, 1860, and to make further Provision as to Purchase of Land and Completion of Works on *Ossett* Branch.

lxiv. An Act to enable the *Scottish North-eastern* Railway Company to raise additional Capital, to make a Deviation in their Railway, and execute other Works, and purchase additional Lands; to amend the Acts relating to the Company; and for other Purposes.

lxv. An Act for repairing and maintaining the Road from the Borough of *Bolton* to the Borough of *Blackburn*, and a Branch Road connected therewith, in the County Palatine of *Lancaster*.

lxvi. An Act to authorize the Lease of the *Cromford and High Peak* Railway to the *London and North-western* Railway Company, and to make certain arrangements with reference to the Capital of the *Cromford and High Peak* Railway Company; and for other Purposes.

lxvii. An Act for the Incorporation of a Company for making a Railway from *Kington* to *Eardisley*, with a Branch therefrom; and for vesting in such Company a Tramroad called "the *Kington* Railway," and enabling them to appropriate Portions of such Tramroad for the Purposes of their Undertaking; and for other Purposes.

lxviii. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Stations at *London Bridge* and the *Bricklayers Arms*, and to alter certain Roads, Streets, and Bridges; and for other Purposes.

lxix. An Act for making a Railway from the *Cornwall* Railway near *Lostwithiel* to *Fowey* in the County of *Cornwall*, and for other Purposes.

lxx. An Act for vesting the disused Burial Ground of the Parish of *Saint Giles in the Fields*, and other Lands connected therewith, in the Rector as Glebe, and providing for the Maintenance of the disused Burial Ground; and for other Purposes.

lxxi. An Act to authorize the Construction of a Railway from *Weymouth* to the *Isle of Portland*, and to extend the *Wilts, Somerset, and Weymouth* Railway to the Harbour.

lxxii. An Act for Supplying with Gas the Township of *Stretford* and adjacent Places in in the County of *Lancaster*, and the Township of *Sale* and adjacent Places in the County of *Chester;* and for other Purposes.

lxxiii. An Act for supplying with Gas the Townships of *Undermillbeck, Applethwaite,* and *Troutbeck*, in the Parish of *Windermere* in the County of *Westmoreland.*

lxxiv. An Act to enable the *Great Britain* Mutual Life Assurance Society to sue and be sued; and to confer further Powers on the Society.

lxxv. An Act to confer further Powers on the *Newry and Armagh* Railway Company.

lxxvi. An Act for incorporating the *Tyne General* Ferry Company, and for authorizing them to establish, make, and maintain Ferries on, along, and across the River *Tyne*, and Landing Places and other Works; and for other Purposes.

lxxvii. An Act for erecting a Bridge across the River *Hull* or *Old Harbour*, with Approaches and other Works connected therewith, all in the Town and County of the Town of *Kingston-upon-Hull.*

lxxviii. An Act to authorize the *London, Brighton, and South Coast* Railway Company to make certain new Lines of Railway in the Counties of *Surrey* and *Sussex;* and for other Purposes.

lxxix. An Act for making a Railway from the *Scottish North-eastern* Railway near *Limpett Mill* to the *Great North of Scotland* Railway at *Kintore*, with Branches to the *Deeside* Railway at *Peterculter;* and for other Purposes.

lxxx. An Act to enable the *Maryport and Carlisle* Railway Company to construct Branch Railways to *Bolton* and *Wigton*, to improve their Station Accommodation at *Wigton*, to purchase additional Lands at *Wigton* and *Aikbank*, to raise further Monies; and for other Purposes.

lxxxi. An Act for enabling the *Midland* Railway Company to construct new Railways and Works, and to acquire additional Lands in the Counties of *Derby, Leicester, Warwick, Bedford, Worcester, Gloucester,* and *Middlesex;* and for other Purposes.

lxxxii. An Act for making and maintaining a Harbour, Piers, and other Works at *Ventnor* in the *Isle of Wight*, and for other Purposes.

lxxxiii. An Act for incorporating a Company, under the Title of "The *Caterham* Spring Water Company," for better supplying with Water the Inhabitants of *Caterham* and the Neighbourhood thereof.

lxxxiv. An Act for the Amalgamation of the *Reading Union* Gas Company and the *Reading* Gaslight Company; and for incorporating the *Reading* Gas Company; and for making further Provision for the supplying of the Borough of *Reading* and the Neighbourhood thereof with Gas; and for other Purposes.

lxxxv. An Act to enable the *North-eastern* Railway Company to construct Branch Railways from *Market Weighton* to *Beverley* and at *Hull*, to raise additional Capital; and for other Purposes.

lxxxvi. An Act for making a Railway from the *Great Northern* Railway at *Hatfield* to the *London and North-western* Railway at *Saint Albans;* and for other Purposes.

lxxxvii. An Act for granting further Powers to the *Alford Valley* Railway Company.

lxxxviii. An Act to enable the *Deeside* Railway Company to raise additional Capital for their original Railway; to maintain certain Portions of their Extension Railway constructed beyond the authorized Limits; and for other Purposes.

lxxxix. An Act to enable the *Furness* Railway Company to make a Branch Railway to *Hawcoat Quarry;* to vest in the said Company the Undertaking of the *Ulverstone* Canal Navigation; and to enable them to raise additional Capital; and for other Purposes.

xc. An Act for making a Railway in the West Riding of the County of *York*, to be called "The *Keighley and Worth Valley* Railway;" and for other Purposes.

xci. An Act for the Construction by the *Midland* Railway Company of new Railways in connection with their *Rowsley and Buxton* Line, and for the Abandonment of Part of the authorized *Manchester, Sheffield, and Lincolnshire* Railway; for authorizing the Use by the *Manchester, Sheffield, and Lincolnshire* Railway Company of Parts of the intended Railways; and for other Purposes.

xcii. An Act to authorize the *Leeds, Bradford, and Halifax Junction* Railway Company to deviate and extend the authorized Line of their *Batley* Branch Railway in the West Riding of the County of *York;* and for other Purposes.

xciii. An Act to enable the *Vale of Clwyd* Railway Company to extend their Railway to the North-west Shore of the River *Clwyd* at *Foryd;* to divert a portion of the Line of their present Railway; and for other Purposes.

xciv. An Act to authorize the Construction of Railways within the Town of *Burton-upon-Trent,* and for other Purposes.

xcv. An Act to enable the *Hereford, Hay, and Brecon* Railway Company to make and maintain Deviations in the Line and Levels of their Railway; and for other Purposes.

xcvi. An Act to enable the *South-eastern* Railway Company to make Railways to *Tunbridge* and *Dartford* respectively, and to widen a Portion of their *North Kent* Line of Railway, and to purchase additional Lands for the Purposes of their Undertaking; and for other Purposes.

xcvii. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct a Branch Railway to *Shawforth* and other Works; to purchase additional Lands; and for other Purposes.

xcviii. An Act for vesting the *Oldham, Ashton-under-Lyne, and Guide Bridge Junction* Railway in the *Manchester, Sheffield, and Lincolnshire,* and the *London and North-western* Railway Companies; and for other Purposes.

xcix. An Act to make better Provision for supplying with Water the Town and Township of *Wakefield,* and the Townships of *Alverthorpe-with-Thornes, Stanley-cum-Wrenthorpe,* and *Sandal Magna,* and for other Purposes.

c. An Act for making a Railway from *Kingston-upon-Hull* to *Hornsea.*

ci. An Act for dissolving the *Ceylon* Railway Company, and for other Purposes connected therewith.

cii. An Act for authorizing "The *North British* Insurance Company" to increase their Capital Stock; and for other Purposes.

ciii. An Act to continue the *Ashborne and Belper* Turnpike Trust in the County of *Derby;* and for other Purposes.

civ. An Act to define the Powers of the *London and North-western and Chester and Holyhead* Railway Companies for raising Money; and for other Purposes.

cv. An Act for the *Red House* and *Weeland* Roads in the West Riding of the County of *York.*

cvi. An Act for the Amalgamation of the *South Durham and Lancashire Union* and *Eden Valley* Railway Companies with the *Stockton and Darlington* Railway Company; for the Transfer to the last-named Company of the *Frosterly and Stanhope* Railway; and for other Purposes.

cvii. An Act to empower the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to construct additional Reservoirs and other Works; to alter the Charges for the Supply of Water within the Limits of their District, and to make other Rates and Charges in respect of such Supply; and for other Purposes.

cviii. An Act to provide for the leasing of the *Banbridge, Lisburn, and Belfast* Railway to the *Ulster* Railway Company.

cix. An Act to authorize the Construction of a Railway from *Bala* to *Dolgelly* in the County of *Merioneth;* and for other Purposes.

cx. An Act for making a Railway from *Corwen* to *Bala,* and for other Purposes.

cxi. An Act for incorporating a Company for making a Railway in the Counties of *Devon* and *Cornwall,* to be called "The *Launceston and South Devon* Railway;" and for other Purposes.

cxii. An Act to enable the *Manchester, Sheffield and Lincolnshire* Railway Company to make a new Railway in the County of *Chester,* to be called "The *Manchester, Sheffield, and Lincolnshire* (*Godley* and *Woodley* Branch) Railway;" and for other Purposes.

cxiii. An Act to authorize the Consolidation into One Undertaking of the *Inverness and Ross-shire* and *Inverness and Aberdeen Junction* Railways, and the Union into One Company of the Two Companies to which the said Railways respectively belong.

cxiv. An Act to authorize the *Enniskillen and Bundoran* Railway Company to extend their Railway to the *Midland Great Western* Railway of *Ireland* at *Sligo;* to change the Name of the Company; and for other Purposes.

cxv. An Act to enable the *Llynvi Valley* Railway Company to increase their Capital; and for other Purposes.

cxvi. An Act for the making and maintaining of a Bridge over the River *Trent* near to the Town of *Nottingham* (to be called "*Wilford Bridge*"), with Roads thereto, and for the discontinuing of *Wilford Ferry* across the River, and for other Purposes.

cxvii. An Act to repeal an Act passed in the First Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for amending and maintaining the Turnpike Road from and out of the Road leading from* Quebec *in* Leeds *to* Homefield Lane End *in* Wortley, *to communicate with the Road leading from* Huddersfield *to* Birstal, *at the* "Coach and Horses" *Public House in* Birstal *in the West Riding of the County of* York, and granting more effectual Powers in lieu thereof.

cxviii. An Act to enable the *Eden Valley* Railway Company to construct certain Extension and Branch Railways; to use Portions of other Railways; to raise additional Capital; and for other Purposes.

cxix. An Act for the *Rotherham* and *Wortley* Turnpike Road in the West Riding of the County of *York.*

cxx. An Act for dissolving the *Hull and Holderness* Railway Company, and vesting its Undertaking in and uniting its Shareholders with those of the *North-eastern* Railway Company; and for other Purposes.

cxxi. An Act for making a Railway from *Johnstone* to *Bridge of Weir* in the County of *Renfrew,* with Branches, and for other Purposes.

cxxii. An Act to dissolve the present Body of the *Wexford* Harbour Commissioners, and to appoint new Commissioners, and for other Purposes.

cxxiii. An Act for conferring further Powers for the good Government of the Borough of *Cardiff;* and for other Purposes.

cxxiv. An Act to authorize the Abandonment of a Portion of the *Garston and Liverpool* Railway; and for other Purposes.

cxxv. An Act for better supplying with Water the Gaol and House of Correction at *Maidstone* in and for the County of *Kent*, and the Lunatic Asylum at *Barming Heath* in and for the said County; and for other Purposes.

cxxvi. An Act to amend the Acts now in force for the Protection of Property in the Borough of *Liverpool* from Fire.

cxxvii. An Act for enabling the *Great-western* Railway Company to construct Railways, and to acquire additional Lands in the Counties of *Stafford* and *Warwick;* and for other Purposes.

cxxviii. An Act for incorporating a Company for making a Railway in the County of *Devon*, to be called "The *Moretonhampstead and South Devon* Railway;" and for other Purposes.

cxxix. An Act to authorize the *South Yorkshire* Railway and River *Dun* Company, and the *Manchester, Sheffield, and Lincolnshire* Railway Company to contribute Funds towards and to acquire the Undertaking of the *Trent, Alcholme, and Grimsby* Railway Company.

cxxx. An Act to amend "The *Wem and Bronygarth* Roads Act, 1860," and to confer further Powers in relation to the said Roads.

cxxxi. An Act to enable the *United Kingdom* Electric Telegraph Company (Limited) to carry on the Works and Business of an Electric Telegraph Company.

cxxxii. An Act for extending the Period limited for the Completion of a Portion of the Railway of the *Dartmouth and Torbay* Railway Company, and for authorizing them to raise a further Sum of Money; and for other Purposes.

cxxxiii. An Act to authorize the Amalgamation of the *Coniston* Railway Company with the *Furness* Railway Company, and for other Purposes.

cxxxiv. An Act to repeal the Act "for repealing Two Acts for repairing the Road from *Little Sheffield* in the County of *York* to *Sparrow Pit* Gate in the County of *Derby*, and also an Act for making a Road from *Banner Cross* in the West Riding of the County of *York* to *Fox House* in the County of *Derby*, and for consolidating the Trusts of certain Roads mentioned in the said Acts, and for amending and making certain other Roads to communicate therewith, and for other Purposes;" and to make other Provisions in lieu thereof.

cxxxv. An Act to amalgamate the *Caledonian and Dumbartonshire Junction* Railway Company with the *Edinburgh and Glasgow* Railway Company.

cxxxvi. An Act to enable the *Caledonian* Railway Company to make certain Deviations of their authorized Lines of Railway called the "*Cleland* Branch Extension" and the "*Omoa* Branch," in the County of *Lanark;* and for other Purposes.

cxxxvii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from their *Granton* Branch to *Leith*, with a connecting Branch therefrom; and for other Purposes.

cxxxviii. An Act to amalgamate the *Glasgow, Dumbarton, and Helensburgh* Railway Company with the *Edinburgh and Glasgow* Railway Company.

cxxxix. An Act for changing the Name of the *Dundalk and Enniskillen* Railway Company to the Name "The *Irish North-western* Railway Company;" and for authorizing them to make and maintain an additional Line of Railway and other Works; and to make Arrangements with other Companies and Public Bodies; and to raise further Monies; and for other Purposes.

cxl. An Act to incorporate the Participants of the Level of *Hatfield Chase;* to authorize the Construction of additional Works of Drainage in the said Level; and to subject certain Lands therein to Taxation.

cxli. An Act to enable the *South Yorkshire* Railway and River *Dun* Company to make Railways near *Sheffield* and *Thorne*, and to exercise other Powers.

cxlii. An Act for making a Railway from the *Hawick* Branch of the *North British* Railway near *Newtown Saint Boswells* to *Dunse.*

cxliii. An Act for making a Railway from *Bishops Waltham* to *Botley.*

cxliv. An Act for effecting Railway Communication from the *Metropolitan* Extension of the *London, Chatham, and Dover* Railway to the *Crystal Palace* at *Sydenham.*

cxlv. An Act for the Amalgamation of the Undertaking of the *Newcastle-upon-Tyne and Carlisle* Railway Company with the Undertaking of the *North-eastern* Railway Company; and for other Purposes.

cxlvi. An Act to enable the *North-eastern* Railway Company to construct a Branch Railway between *Blaydon* and *Conside*, with Branches therefrom; to acquire additional Lands, and for other Purposes.

cxlvii. An Act for more effectually repairing certain Roads called "The *Tupton and Ashover* Road," and "The *Birkin Lane* Road," in the County of *Derby.*

cxlviii. An Act to authorize the Construction of a Railway from *Hooton* to *Parkgate*, in connexion with the existing *Birkenhead* Railway, and for other Purposes.

cxlix. An Act to enable the *Bristol and South Wales Union* Railway Company to construct a Branch Railway to communicate with a Pier and other Works at the Mouth of the River *Avon;* and to authorize certain Arrangements with the Mayor, Aldermen, and Burgesses of the City and County of *Bristol* with reference thereto.

cl. An Act to repeal an Act of the First Year of the Reign of King *William* the Fourth, "for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of *Cheadle*, in the County of *Stafford*, and for making Deviations and new Branches to and from the same;" and to make other Provisions in lieu thereof.

cli. An Act for making a Railway from *Horsham* to *Dorking*, and for other Purposes.

clii. An Act for making Railways from the *London and South-western* Railway to *Hampton* and *Shepperton* in the County of *Middlesex.*

cliii. An Act to authorize the *Mid Kent* Railway Company to make a Railway from the *Mid Kent* Railway to *Addiscombe;* and for other Purposes.

cliv. An Act to enable the *North-eastern* Railway Company to construct the *Team Valley* and other Branch Railways in the County of *Durham;* and for other Purposes.

clv. An Act for providing and constructing an improved Cattle Market, Market Places, and Slaughterhouses, with all necessary Approaches and Conveniences, within the Parish of *Saint Thomas* in the County of the City of *Dublin.*

clvi. An Act to enable the *Mid Wales* Railway Company to alter the Line and Levels of their Railway, and to make a Junction between the *Mid Wales* and the *Central Wales* (*Extension*) Railways; and to amend the Acts relating to the said Company; and for other Purposes.

clvii. An Act to alter the Constitution of the Parochial Board of the *Barony* Parish of *Glasgow* in the County of *Lanark.*

clviii. An Act for making a Railway from the *Sutton* Station of the *Croydon and Epsom* Branch of the *London, Brighton, and South Coast* Railway to *Banstead* and *Epsom Downs* in the County of *Surrey.*

clix. An Act for making a Railway from the Port of *Bristol* to the Old Channel at the Mouth of the River *Avon,* together with a Pier in the said River, and for other Purposes.

clx. An Act for making a Railway from the *Glasgow, Paisley, and Greenock* Railway to *Wemyss Bay* in the County of *Renfrew,* and a Pier and Roads in connexion therewith; and for other Purposes.

clxi. An Act for authorizing the *Llanelly* Railway and Dock Company to make and maintain new Lines of Railway by way of Deviation of their authorized *Swansea* Lines and *Carmarthen* Line and other Works, and to make Arrangements with other Companies, and to raise further Capital, and to make Provision for laying down Narrow Gauge Rails on the *Carmarthen and Cardigan* Railway; and for other Purposes.

clxii. An Act for authorizing the *Llanidloes and Newtown* Railway Company to make and maintain a Line of Railway for the joint Use of the *Mid Wales* Railway Company and the *Manchester and Milford* Railway Company, and a Station at *Llanidloes* for the joint Use of the Three Companies, and to raise further Monies; and for other Purposes.

clxiii. An Act to authorize the Extension of the *London, Chatham, and Dover* Railway to *Walmer* and *Deal,* and for other Purposes.

clxiv. An Act to amend the Acts relating to the *Nene Valley* Drainage and Navigation Improvement; and to make Provision for the Discharge of the Debts and Liabilities of the Commissioners in the Third District of Drainage, and for the Separation of the Districts; and for other Purposes.

clxv. An Act for making a Railway from the *North Devon* Railway in the Parish of *Colebrook* in the County of *Devon* to *Okehampton* in the same County; and for other Purposes.

clxvi. An Act for authorizing the Construction of Railways from the *Sevenoaks* Railway to *Maidstone* and *Tunbridge,* and to join existing Railways at *Tunbridge,* all in *Kent;* and for other Purposes.

clxvii. An Act to enable the *Swansea* Harbour Trustees to raise a further Sum of Money for the Purposes of their Undertaking; and to authorize a Lease or Leases of the *Swansea* Harbour Railway and certain Wharves in *Swansea* Harbour to the *Vale of Neath* Railway Company; and to authorize the laying down of additional Rails for the narrow Gauge on that Railway.

clxviii. An Act to authorize the *West Midland* Railway Company to construct additional Works, and to raise further Sums of Money; to provide Facilities for the Passage of their Traffic to *Newport* in the County of *Monmouth;* to regulate their Powers of raising Money in respect of certain other Undertakings; and for other Purposes.

clxix. An Act for constructing and maintaining a pier at *Weston-super-Mare* in the County of *Somerset.*

clxx. An Act to facilitate Arrangements by the *Londonderry and Coleraine* Railway Company with their Creditors; and for other Purposes.

clxxi. An Act for making Railways from *Rickmansworth* in the County of *Hertford* to *Amersham* and *Chesham* in the County of *Buckingham;* and for other Purposes.

clxxii. An Act to enable the *Carmarthen and Cardigan* Railway Company to extend their Railway from *Llangeller* to *Newcastle-Emlyn,* and to raise further Monies.

clxxiii. An Act for making a Railway from *Kettering* to *Thrapstone* in the County of *Northampton;* and for other Purposes.

clxxiv. An Act to improve the Western Approach to the Metropolitan Meat and Poultry Market, and to authorize the raising of additional Money.

clxxv. An Act for making a Railway from *Stafford* in the County of *Stafford* to *Uttoxeter* in the same County; and for other Purposes.

clxxvi. An Act for authorizing the *Aberystwith and Welsh Coast* Railway Company to make and maintain additional Lines of Railway, and to reclaim Lands near to their Lines of Railway, and to raise further Monies; and for other Purposes.

clxxvii. An Act for conferring further Powers upon the *Andover and Redbridge* Railway Company.

clxxviii. An Act for authorizing Agreements between the *Briton Ferry* Dock and Railway Company and other Companies, and a Lease of Part of their Wharfs and for altering Rates payable to the *Neath* Harbour Commissioners; and for authorizing the *Briton Ferry* Dock and Railway Company to raise further Capital; and for other Purposes.

clxxix. An Act for making Railways from *Cowbridge* in the County of *Glamorgan* to join the *Llantrissant and Taff Vale Junction* Railway and the *South Wales* Railway; and for other Purposes.

clxxx. An Act to authorize the *British* Fisheries Society to construct Piers or Breakwaters, and other Works in connexion with *Pulteney* Harbour, and to amend the Act relating thereto.

clxxxi. An Act to amalgamate the *Fife and Kinross* Railway Company with the *Edinburgh, Perth, and Dundee* Railway Company.

clxxxii. An Act for authorizing the *Vale of Neath* Railway Company to lay down Rails for the Narrow Gauge as well as the Broad Gauge on the *Vale of Neath* Railway, and to raise further Monies, and for other Purposes.

clxxxiii. An Act to authorize an Alteration of the Terms of the Lease of the *Severn Valley* Railway to the *West Midland* Railway Company; and for other Purposes.

clxxxiv. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to make new Railways, and for other Purposes.

clxxxv. An Act for making a Railway in the County of *Salop*, to be called "The *West Shropshire Mineral* Railway; and for other Purposes.

clxxxvi. An Act for incorporating "The *Brecon Markets* Company," and for vesting in them, and authorizing them to maintain and regulate, the Markets and Fairs in *Brecon*, and other Property of the Mayor, Aldermen, and Burgesses of the Borough of *Brecon*; and for providing for the Discharge of Liabilities of the Mayor, Aldermen, and Burgesses; and for other Purposes.

clxxxvii. An Act to confer Powers upon the *Eastern Counties* Railway Company with respect to the *Epping* Railways; and for other Purposes.

clxxxviii. An Act to separate the *Middle Level* from the *Bedford Level* Corporation; to transfer the Powers and Duties of the *Nene* Navigation Commissioners to the *Middle Level* Commissioners, and to provide for Payment of the Debt secured on the Navigation Tolls; to repeal the Barrier Banks Acts; to amend the *Middle Level* Acts, and to incorporate the *Middle Level* Commissioners; to amend and enlarge the Powers of Commissioners acting under District Acts in the *Middle Level;* and for other Purposes.

clxxxix. An Act for amalgamating the *North British* Railway and the *Edinburgh, Perth, and Dundee* Railway and the *West of Fife* Railway and Harbour Companies, and for other Purposes.

cxc. An Act for authorizing the *West Cheshire* Railway Company to make and maintain additional Lines of Railway and other Works, and to raise further Monies; and for other Purposes.

cxci. An Act for authorizing the *Waterford and Limerick* Railway Company to divert their Tramway in the City of *Limerick*, and to work or lease the Undertaking of the *Limerick and Ennis* Railway Company.

cxcii. An Act to authorize the *London, Chatham, and Dover* Railway Company to construct additional Works and acquire additional Land in *Kent* and *Surrey;* and for other Purposes connected with their Undertakings.

cxciii. An Act to authorize the construction of a Railway in the Counties of *Glamorgan and Brecon*, to be called "The *Dulas Valley Mineral* Railway," and for other Purposes.

cxciv. An Act for making a railway to connect the *South Staffordshire* Railway with the *Cannock Chase* Railway in the County of *Stafford*, and for other Purposes.

cxcv. An Act to enable the *Eastern Union* Railway Company to make certain Arrangements concerning their Capital, and to subscribe to the *Waveney Valley* Railway.

cxcvi. An Act for transferring the *Hereford, Ross, and Gloucester* Railway and for leasing the *Ely Valley* Railway to the *Great Western* Railway Company, and for other Purposes.

cxcvii. An Act to empower the *Kent Coast* Railway Company to construct Railways or Tramways at *Ramsgate*, and to raise further Money; and for other Purposes.

cxcviii. An Act to enable the *Shrewsbury and Hereford* Railway Company to lease their Undertaking, to acquire additional Lands; and for other Purposes.

cxcix. An Act for making a Railway, to be called "The *Spalding and Bourn* Railway," and for other Purposes.

cc. An Act for making a Railway, to be called "The *Tottenham and Hampstead Junction* Railway," and for other Purposes.

cci. An Act to enable the *Great Northern and Western* (*of Ireland*) Railway Company to make a Railway to *Ballina;* and for other Purposes.

ccii. An Act for making a Railway from *Carnarvon* to *Port Madoc* in the County of *Carnarvon.*

cciii. An Act for paving, cleansing, lighting, watching, draining, and improving the City of *Aberdeen* and adjacent Districts, for regulating the Police thereof, for supplying the Inhabitants with Water, and for other Purposes.

cciv. An Act to consolidate and amend the Acts relating to the Police and Statute Labour of the City of *Glasgow*, and for other Purposes.

ccv. An Act for consolidating and amending the Acts relating to the Corporation of *Salford;* for extending their powers; and for other Purposes.

ccvi. An Act for incorporating a Company; and for making and maintaining the *East Gloucestershire* Railway; and for other Purposes.

ccvii. An Act for making a Railway, to be called "The *East Grinstead, Groombridge, and Tunbridge Wells* Railway," and for other Purposes.

ccviii. An Act for conferring additional Powers on the *London and North-western* Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for authorizing a Deviation in the Line of the *South Leicestershire* Railway; and for other Purposes.

ccix. An Act to enable the *Merthyr, Tredegar, and Abergavenny* Railway Company to lease their Railway.

ccx. An Act for enabling the *Mid-Sussex and Midhurst Junction* Railway Company to extend the Time for completing their Railway; to sell or lease their Undertaking to the *London, Brighton, and South Coast* Railway Company; and for other Purposes.

ccxi. An Act to authorize the Construction of a Railway from the *Bradford, Wakefield, and Leeds* Railway at *Wakefield* to the *South Yorkshire* Railway at *Barnby-upon-Don*, and of certain Branch Railways to be called "The *West Riding and Grimsby* Railway."

ccxii. An Act for incorporating the *Dovey* Reclamation Company; and for authorizing them to reclaim Land in the Estuary of the River *Dovey;* and for authorizing Arrangements between them and the *Aberystwith and Welsh Coast* Railway Company; and for other Purposes.

ccxiii. An Act for extending the Time for the Purchase of Lands and the Completion of the Works authorized by "The *Dagenham* (*Thames*) Dock Act, 1855," and for other Purposes.

ccxiv. An Act for authorizing the *Redditch* Railway Company to raise further Monies; and for other Purposes.

ccxv. An Act to extend the Time for making the Railway of the *Kensington* Station and *North* *and South London Junction* Railway Company; and for other Purposes.

ccxvi. An Act for authorizing the *Abingdon* Railway Company to raise further Monies; and for other Purposes.

ccxvii. An Act for making a Railway from the *Waterford and Tranmore* Railway near the City of *Waterford* to the Town of *Passage* in the County of *Waterford.*

ccxviii. An Act for authorizing an Extension of the *Oswestry, Ellesmere, and Whitchurch* Railway; and for other Purposes.

ccxix. An Act to authorize the Construction of a Railway in the County of *Down* from the *Downpatrick and Newry* Railway to *Newcastle.*

ccxx. An Act for amending "*The Charing Cross* Railway (City Terminus) Act, 1861."

ccxxi. An Act for incorporating a Company for making and maintaining the *Wrexham, Mold, and Connah's Quay Junction* Railway; and for other Purposes.

ccxxii. An Act to protect the Waters of the *Mersey* and the *Irwell* and of certain of their Tributaries from certain Obstructions.

ccxxiii. An Act to amalgamate the *Eastern Counties,* the *East Anglian,* the *Newmarket,* the *Eastern Union,* and the *Norfolk* Railway Companies; and for other Purposes.

ccxxiv. An Act for a Lease of the Undertaking of the *Mid Kent* Railway (*Bromley* to *Saint Mary's Cray*) Company to the *London, Chatham, and Dover* Railway Company; and for other Purposes.

ccxxv. An Act for the amalgamation of the *Somerset Central* Railway Company and the *Dorset Central* Railway Company; and for other Purposes.

ccxxvi. An Act to authorize the Construction of a Railway in *Shropshire,* to be called "The *Wellington and Drayton* Railway."

ccxxvii. An Act for making a Railway and Harbour in the County of *Devon,* to be called the *Sidmouth* Railway and Harbour; and for other Purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to confirm certain Contracts for granting Leases made and entered into by *Charles Phillimore* Esquire of Part of the Lands and Hereditaments devised by the Will of *William Robert Phillimore* Esquire, deceased, situate in the Parish of *Saint Mary Abbotts, Kensington,* in the County of *Middlesex,* and to confirm certain Leases granted in pursuance of the said Contracts, and for other Purposes relating to the said Will.
2. An Act for incorporating the Trustees under the Will of Captain *William Mackintosh,* for defining and explaining the said Will, and for carrying into effect the Purposes thereof.
3. An Act to extend the Powers given to the Trustees of the Will of *William Tuffnell* Esquire by an Act of Parliament passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for enabling the Trustee under the Will of the late* William Tuffnell *Esquire to reduce the Fines for the Copyholds held of the Manor of* Barnersbury, *devised by his Will, as an Encouragement to the Tenants to build thereon, to grant Building and Repairing Leases of the devised Estates*; *and for other Purposes.*
4. An Act to enable the Mayor and Commonalty and Citizens of the City of *London,* Governors of the Possessions, Revenues, and Goods of the Hospital of *Edward,* late King of *England* the Sixth, of *Saint Thomas the Apostle,* commonly called "*Saint Thomas's Hospital,*" to convey the Site of the present Hospital to the *Charing Cross* Railway Company, and to acquire a new Site for the same Hospital; and for other Purposes.
5. An Act for amending the Powers of Leasing and other Powers created by divers Acts relating to the Estates annexed to the Earldom of *Shrewsbury;* and for other Purposes.
6. An Act to authorize the Trustees of the Will of *Athelstan Corbet* Esquire, deceased, to grant Building Leases and Mining Leases of the Estates thereby devised, and to raise Five thousand Pounds out of the same Estates, and apply such Sum in the Improvement of the Port of *Aberdovey* and Lands adjoining thereto; and for other Purposes.

PRIVATE ACTS,

NOT PRINTED.

7. An Act for inclosing the Commons or Waste Lands called "*Dollow* and *Kilmore* Commons" in the Parishes of *Dollow* and *Kilmore* in the County of *Tipperary.*
8. An Act to dissolve the Marriage of Colonel *Gore Boland Munbee* with *Sophia Catherine* his now Wife, and to enable him to marry again; and for other Purposes.

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NOTICE TO THE READER.

Some considerable alterations having been made in the Text, Table of Contents, and Sessional Index of this Work, with a view to facility and completeness of reference, it is desirable that these changes should be made known to those accustomed to consult it.

1.—AS TO THE TEXT.

In the Text, commencing with Vol. CLXVI., there has been added to the title of every Bill, the Number, according to the official lists, of the print of the Bill as it stood when brought on for discussion; and at the close of the debate, the Number of the Bill as reprinted with the alterations the result of the discussion.

Where a Select Committee has been appointed by either House, a list of the Members as originally nominated is given. The subsequent alterations in the constitution of the Committee, if any, will be found in the completed list given in the Sessional Index.

2.—AS TO THE TABLES OF CONTENTS.

The Tables of Contents of the volumes have been considerably enlarged. Every entry is made to accord with the corresponding entry in the Lords' Minutes or Commons' Votes; but a large amount of valuable information not to be found in those records, but derived from the text of "Hansard," is added or intercalated.

Every Motion is set out in its precise terms, according to the Notice, or to the entries in the Minutes or Votes.

Every Amendment or Motion interposed between the original Question and the final decision, whether subject of entry on the Minutes or Votes or not, is given.

The title of every Bill introduced is set out at length, with the names of the Peers or Members who have charge of the measure.

All Motions and Amendments are set out at length.

In Committee all Clauses debated, and some not discussed, are recorded. The "breviates" which indicate the object of the Clause are given, and the Amendments are given at length.

[If a Bill be committed to a Select Committee, a list of the Members will be found in the Sessional Index.]

The object of every Select Committee moved for is set out in the terms of the Motion; and if granted, the names of the Members nominated to serve on it.

After the names of the Members who put Questions, the names of the Ministers who give the Answers are now added.

In short, the object of these alterations has been to render the "Contents" a complete abstract of the Minutes and Votes, comprising the whole "contentious" business of Parliament in relation to public affairs.

[These improvements, commenced in the second volume, and growing as the work proceeded, will be found most complete in the later volumes.]

3.—AS TO THE SESSIONAL INDEX.

The following alterations have been made in the Sessional Index:—

1. After the name of the Member who puts a Question, the name of the Minister who gives the Answer is added.

2. Where a Bill is referred to a Select Committee, a list of the Members serving on the Committee is given, with any alterations since the first nomination.

3. Instead of compelling the reader to refer to the volumes to find the date of the Royal Assent to a Bill, the reference has been omitted, and the date inserted.

4. The history of each Bill which passes through both Houses is completed by citing the Statute in which it resulted.

5. The Sessional Number of every printed Bill and reprint of a Bill as it passes through its several stages is appended to the references to the debates on it.

6. Where a Select Committee is moved for, the object of that Committee is set forth in the terms of the Motion; and if granted, a list of the Members, with any subsequent alterations, is given.

In like manner the subject of an Address for a Royal Commission, &c. is set out at length.

7. The Sessional Numbers, according to the "List of Papers for Sale," of the Returns, Reports, and "Papers presented by Command," which are subjects of Debate, are added to the references.

8. The entries under the head of "Mr. Speaker" have been cast into a distinct form. Instead of a mere entry of the title of the Question during which the necessity arose for Mr. Speaker's intervention, the particular object to which that intervention is directed is given. For example, the entry under the old form, "*Education—The Revised Code—Question,*" would give no indication that Mr. Speaker's interference was to stop reference to Debates "in another place." The entry now stands "Debate—Reference to Debates 'in another place'—*Education—The Revised Code—Question.*" By this course, the Law and Practice of Parliament, as digested in such works as Mr. May's, will always be entered up to the latest period.

These improvements in the Tables of Contents and Sessional Index may frequently be made to save reference to the JOURNALS or VOTES. The Index is compiled with a view to the most rapid reference to the text of "HANSARD"—the references are therefore given in the shortest form, in order to bring the whole subject instantly under the eye. If the reader, consulting this Index, does not care to read the discussions on his subject, but desires to know the precise form in which Questions were submitted to the House, the terms of any Motion or Resolution, or Amendment, the course of the discussion and the result—and many other objects of inquiry might be suggested—if he turns to the "Contents" of the Volume indicated, and to the "page" at the right hand, he will find the full information as set forth in the MINUTES and VOTES, with many details (as, notably, of discussions in Committee) which are to be found nowhere but in "HANSARD."

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IN THE FOURTH SESSION OF

THE EIGHTEENTH PARLIAMENT OF THE UNITED KINGDOM.

25° & 26° VICTORIA,

1862.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading.—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committee.—*Re-Com.*, Re-Committal.—*Rep.*, Report.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st Div.*, *2nd Div.*, First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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168] 2R.* 333; 3R.* 643
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Inland Revenue and Customs Establishments,
Select Committee appointed, "to inquire whether it would be practicable and advantageous to consolidate any of the Establishments now governed by the Boards of Inland Revenue and Customs respectively; or to unite any portion of the duties performed by their officers, with a view to economy in the collection of the Public Revenue, or to simplicity of arrangement" (Mr. Horsfall), [166] 1065;
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The Lords' Amendment to which Sir John Shelley proposed to move that the Commons disagree, was the striking out Clause 9 (Street between Hungerford Street and Wellington Street not to be constructed till other Works completed).

END OF VOLUME CLXVIII., AND FOURTH AND LAST VOLUME OF SESSION 1862.

Cornelius Buck, Printer, 23, Paternoster Row, London.

S.BL. LONDIN. UNIV.